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JULY, 1894.

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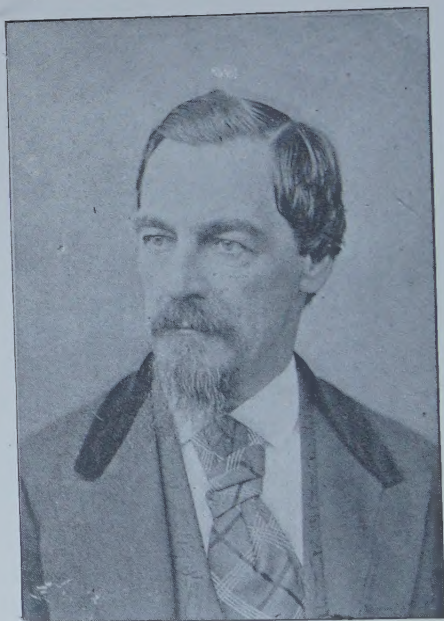
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Yours Truly,
W. Sewall Clarke.

ANNALS OF IOWA.

DL. I. No. 6.

DES MOINES, IOWA, JULY, 1894.

THIRD SERIES.

GOVERNOR JOHN CHAMBERS.

BY HON. W. PENN. CLARKE,

Reporter of the Iowa Supreme Court; 1855-60.

Colonel John Chambers, the second territorial Governor of Iowa, was a native of New Jersey, born in the year 1779. In 1792, when the boy was thirteen years of age, his father migrated with his family to the State of Kentucky, and here young Chambers grew to manhood. The State was then sparsely settled, and owing to the conflicts which were constantly taking place between the settlers and the Indians, every cabin was a little fort; it was known as the "dark and bloody ground." Every man and boy had learned to use a rifle, and to hunt, not only the game of the forests, which then abounded, but to hunt and fight the Indians as well; and it cannot be doubted that young Chambers at an early age, had become familiar with the weapons of defense, and been trained in the mode of warfare that then prevailed in the frequently occurring contests with the aborigines of the country. He early enlisted in the service of his country, and took part in the Indian War of 1811, and the War of 1812 with Great Britain, participating in the battle of the Thames, and serving on the staff of General Sir Henry Harrison, who was then in command of the American forces.

How and where young Chambers obtained his education, I have no information, but as Kentucky in 1790, contained only a little over 60,000 people, scattered over a wide area of terri-

tory, and as at that early period every hill or valley, was not dotted with school-houses, and every village did not contain an embryo college, it is probable that he received his early training from his parents, and was otherwise self-taught. However that may be, he read law, and entered upon the practice of his profession. That he was successful, and rapidly rose in the estimation of the public, is shown by the fact that he was appointed or elected Prosecuting Attorney of his district. At this period the State was overrun by lawless characters, who were a terror to the people, but by forming a combination with other prosecuting officers, Chambers soon established a vigorous system of enforcing the criminal laws, which made safe the lives and property of the citizens.

As he advanced in years, he became an active politician, and belonged to that galaxy of Whig statesmen and orators, which headed by Henry Clay and John J. Crittenden, so long controlled the politics and swayed the destinies of Kentucky. While he was not the equal of those leaders as an orator, he was a strong and forcible speaker, able to command the attention of audiences which had imbibed a love of eloquence from the frequent addresses from the stump, not only of Clay and Crittenden, but of such well known speakers as Tom Marshall, Landaff W. Andrews, and the Rev. John C. Breckenridge, the well known and eloquent Presbyterian minister, not to mention others. He thus became prominent before the people of his congressional district, and in 1827 was elected to Congress, serving only one term. Why he was not re-elected is not known, nor can I name his successor, but in 1835, he was again sent to Congress, where he served four years, when he became the compeer of Thomas Corwin, ex-Gov. Vance, of Ohio, and the many other able and distinguished men during that period, and where he participated in the discussion of the important measures then before that body, such as the reception of abolition petitions which, led to many exciting scenes in that body and the like.

Colonel Chambers was a great admirer of Mr. Clay and a devoted friend of General Harrison, with whom he had been

close personal relations; and when it is remembered that the Hero of the Thames was a man of genial nature, easily approached, and full of wit and repartee, and possessing none of the coldness of nature and hauteur of demeanor attributed to his grandson, the late President Harrison, it is not to be wondered that his early friend and those who had served with him in the Army were deeply attached to him. In 1839 General Harrison was nominated for the Presidency by the Whig National Convention, and then followed one of the most exciting political contests that ever occurred in this country. The writer of this article having been personally acquainted with General Harrison, took part in that canvass, and well remembers the earnestness and anxiety that were felt. Log cabins and coon skins were to be seen on every hand, and formed a part of every procession, while hard cider was the standard drink. Mass meetings, attended by thousands of the people, were held everywhere, and "Tippecanoe and Tyler too," was sung in every crowd, with as much fervor as in later days, the armies of the Union organized to preserve the government and its constitution, as they marched to victory or death, announced that while

"John Brown's body lies moldering in the grave,
His soul goes marching on."

After eight years of Jackson, the "Hero of New Orleans," and four years of Van Buren, the politician, the country demanded another military man, and the "Hero of Tippecanoe" was nominated by the Whig National Convention of 1839, defeating Henry Clay and General Winfield Scott, who were his rivals for the nomination. In the canvass which ensued, Colonel Chambers took an active part in support of his old friend, in which upon the hustings he defended him from the slurs and slanders cast upon him by the opposite party, and no man was more gratified at the election of General Harrison than was the subject of this sketch. He was one of those who escorted the President-elect from his home to the Capital of the Nation, and witnessed his inauguration. But soon the bright anticipations of the Whig party were blasted! Within

one short month after his incumbency of the White House, the new President, after an illness of less than a week, passed from earth and was gathered to his fathers, and the Vice-President, John Tyler, succeeded to the Presidency. But short as was the period of General Harrison's administration, he was not forgetful of his friends, and one of his earliest appointments was that of John Chambers to be Governor of Iowa and Superintendent of Indian Affairs in that Territory. He took the oath of office before Judge McLean of the U. S. Supreme Court, and that oath is now on file in the collection of the Historical Department of Iowa.

Gov. Chambers was, as I recollect him, about five feet five inches in height, and, as will appear from the first portrait accompanying this article, was in his earlier years, a person of attractive appearance, with a bright face and genial manners; but when he became Governor, he had passed the age of 60 years, had become quite corpulent, was somewhat slow in his movements, broken in health, and afflicted with a breast complaint, from which he was a great sufferer. In other words, the hardships of his earlier days, and the various experiences through which he had passed, had impaired his constitution, and he had lost the vitality that characterized him when in the vigor of life. Yet he was faithful in the discharge of his duties, and watched with jealous care over the interests of the Territory. He was not a great talker and seldom spoke of his own achievements, and had a very great dislike to anything like sham or egotism. I may mention one illustration of this feeling. During his Governorship, Jesse Williams, (as good a fellow socially as ever lived), who was Secretary of the Territory, brought to the Governor some paper to sign, to which he had affixed his own signature as Secretary, and below his name, as was his custom, had made a somewhat bold flourish of his pen. When the Governor took the paper and observed the Secretary's signature, with the display of penmanship attached, he asked, pointing to the latter, what that meant, to which Williams made some reply, to which Chambers responded, that it meant "d—d fool",—and after that, it may well be believed

the signature of the Secretary was plain Jesse Williams. The Governor was easy of access, genial in his intercourse with his associates, not inclined to harshness with those under him, and in his rebuke to Williams, only intended to check a display of egotism which he thought was unbecoming in one holding official position; and if he ever manifested irritability of temper the weakness must be attributed to the suffering he was enduring from disease, rather than to his natural disposition. When Gov. Chambers arrived in Iowa to assume the duties of his office, he purchased a tract of land of about one thousand acres near Burlington, then the largest and most important town in the Territory, and after the fashion of southern landholders, gave it the designation of "Grouseland," that game being then abundant in Iowa. Here he made his home, coming only to the Capital when the legislature was in session, or when his other duties required his presence there.

In 1844, I removed from Ohio to Iowa, locating in Iowa City, then the seat of the territorial government and then containing from 1,500 to 2,000 inhabitants, which village I reached during the month of November of that year. Having been connected with the press of Ohio for a number of years, and being politically an active Whig, I was anxious to connect myself with some Whig paper then established in the Territory, and as the Burlington *Hawkeye* was then the leading paper, my attention was turned in that direction. Whether I had met Governor Chambers prior to that date I cannot now state, but on the 6th of December I wrote to him upon that subject. Prior to this period the Democratic party had called a convention and framed a constitution, which was then before the people to be voted on, and in my letter above referred to, I had proposed to write a series of articles in opposition to its adoption. In response to that letter, I received an answer—the first letter I ever received from Governor Chambers, as follows:

"BURLINGTON, IOWA, 19th Dec'r, 1844.

"*Dr. Sir:*—I have had the pleasure to learn from your letter of the 6th inst. that you have become a citizen of Iowa, and I sincerely hope you may find it to your interest to continue so.

"On the subject of the Whig press here, you have probably learned that an

assistant editor has been taken into the concern, who promises more energy and efficiency than his senior. It remains to be seen how it will turn out, but the establishment is not now attainable. The new Constitution well merits the attention you propose to bestow upon it, but I would earnestly recommend that you do not give it a party aspect. Short and pithy articles are best calculated to effect your object. Labored essays on such a subject are not read by the masses, however well they may be written; and above all, do not give what you write an editorial character. Communications from 'a citizen' of the new purchase, will be read with attention.

"I agree with you—don't give up the ship; nor shift the flag; nail it to the mast-head, and if we must go down, let it be the last thing seen above the wreck. Why should we despair? The children of Israel—the idolatrous rascals—who were guided on their journey to the promised land by a pillar of cloud by day and of fire by night, and fed daily by their God on manna and quails, made unto themselves a *calf* and worshipped it while Moses was in the mountain, but he broke it to pieces when he came down and burnt it to ashes, and they reached the promised land in safety, and were forgiven their idolatry. Why should not we be forgiven for the occasional worship of a *calf*? Our Moses will yet come down and set us right. You see I write freely, but you know my position, and my creed forbids me to enter the arena of political strife. You must, therefore, regard what I have written as written for you only, and not to be repeated as coming from me.

"Turn your attention to the memorial from the Convention to Congress, and notice the 'protest' against our being restricted from taxing the purchasers of public lands for five years. Imagine a poor fellow who has expended his fifty dollars and borrowed fifty more, at from 12 to 20 per cent. to purchase eighty acres, and dependent upon the labor of his hands to fence and break up the prairie, and build a cabin, and then, and not till then, prepared to make food and clothing for his family—a fit subject for taxation; and there are many such.

"With great respect, your ob't servant.

JOHN CHAMBERS."

When Governor Chambers came to Iowa City, in the winter of 1844-5, to attend the legislature and discharge his other duties, he made his home with my father-in-law—whose hotel subsequently known as the "Crummey House," became a somewhat noted hostlery—with whom I resided. The Governor and myself were thus thrown together, and my intimacy with him became somewhat close. The legislature of the time was largely Democratic in both houses, and there was constant antagonism between the Governor and the members. The Constitution had been defeated by a vote of the people, and during this session, a bill had been introduced to re-submit the Constitution to another vote, without the formality

calling another Convention, which bill passed both houses. The Governor was hostile to the measure, upon the ground that the legislature had not been elected with any view to such measure; that the question had too recently been passed upon by the people, who should be consulted; and that the proper mode was to call a new Convention. He determined to veto the bill and had prepared some notes upon the subject, when he came to me late in the day, stating that he was in great pain, and could not write, and requested me to put the matter in shape, giving me liberty to exercise my own judgment and employ my own language. I undertook the task, and devoted the balance of the day and the most of the night to its preparation. The next morning, the Governor approved and signed it, and it was sent to the Council and read. Phil. Bradley, of Jackson county, was clerk of that body, and the reading of the message devolved upon him. I was present at the time, and as Bradley knew my hand-writing, he looked at me with some amazement, and through him it became known that it was prepared by myself; and that document, if it is on file in the Archives of State, will be found to be in my hand-writing. However, the legislature passed the bill over the veto, and it became a law. The canvass that ensued involved the principles embodied in the proposed Constitution. The Whig party made every possible effort to defeat it before the people, and I contributed my share of the labor by writing a series of articles—twelve in number—reviewing its provisions, which were published in the *Iowa Standard*, a Whig paper published in Iowa City, and then conducted by Wm. Crum.

Governor Chambers remained in office throughout the administration of President Tyler, but he did not desert his principles for the sake of office as too many Whigs did. In 1845, James K. Polk assumed the presidential office, having defeated Mr. Clay in the election, and shortly thereafter Governor Chambers was relieved from office, and James Clark, brother-in-law of Augustus Cæsar Dodge, was appointed his successor. The ex-Governor returned to his home—the

contest over the Constitution was in progress—and in June of that year, I received from him the following letter :

“GROUSELAND, (near Burlington), IOWA, 19 June, 1845.

My Dear Sir :—But for my great aversion to writing, which always produces a pain in my breast, I would sooner have acknowledged the receipt of your kind letter. I fear our friends at a distance are not sufficiently alive to the importance of saving Iowa, to do what to them would be a mere trifle, but to us of immense importance. I fear that the wretched incubus which has so long paralyzed the Whig energies of this and the adjacent counties, cannot be got out of the way, induced to strengthen itself by an association with talent and energy. I am not sufficiently posted up as to the majorities of the different counties, to judge of the plausibility of your estimate of what might be done by proper exertion under the constitutional apportionment, and I have mixed so little with the people since my return, as not to be able to judge of the fate of the new Constitution. My impression is, however, from what I have heard, that it will receive a very small majority in this county, if it should not be rejected by a like majority. I vote against it, as I will against every other which contains the odious feature of elective judiciary, and takes from the people the ordinary powers of legislation in relation to incorporations. With a Democratic feature in the one case, and an equally Aristocratic in the other, assuming that the great wisdom and virtue of the Convention placed its behests above the future will of the people, however expressed, but by another wise and virtuous assemblage of persons expressly delegated to alter or amend the fundamental law. To me, however, it is unimportant but for the sake of those who will remain after my frail body shall be at rest.

“I am hardly a shadow of my former self, having undergone a reduction of just ninety pounds in my weight. A few weeks ago I began to think my disease had left me, or was leaving me, but within the last few days, some of its worst symptoms have returned. A few days ago I had a visit from Governor Clark, with the purpose, as he said, of tendering me the command of the Iowa volunteers raised for the Mexican war. My health totally forbids the acceptance of a command I could not exercise. But for that cause, I should not have hesitated much as I disapprove the conduct of the government in bringing on the war. The offer of the Governor was, I believe, made in good faith, and I received it in the spirit in which it was made.

“I should be very much pleased to see you here. Can't you make us a visit this summer?

Your friend,

JOHN CHAMBERS.

While the contest over the adoption of the Constitution was going on before the people, the Whigs had nominated Ralph P. Lowe, of Bloomington, (now Muscatine), for Delegate to Congress, and he made an active canvass of the Territory. Gen. A. C. Dodge was the Democratic candidate. The explanation is necessary to the introduction of the follow-



Yours truly
John Chambers



etter, which shows the interest the Governor took in the canvass, and that his health was still on the decline :

"BURLINGTON, 10th July, 1845.

"*My Dear Sir:*—My declining health and official duties have prevented me from acknowledging the receipt of your letter, and the same causes have so entirely secluded me, that I know very little of what is going on. I learn, however, from pretty good authority, that there is a pretty strong detachment from the Democratic ranks in this county, (consisting principally of the Germans) who are going for Lowe, and can neither be coaxed nor driven back. This will render the majority here entirely doubtful, and I think, if the right use is made of Robinson's appointment as U. S. Attorney, in the half-breed region, Lee will give Lowe a majority. I have quieted all appearance of dissatisfaction on the subject of his (Lowe's) recommendation of the Judge. The members of the House of Representatives of this county and Van Buren have resigned, and writs of election have been issued to fill the vacancies at the August election.

"I hear nothing from my New York correspondents, and conclude that the result of the Florida elections have discouraged them. You will see in the *Lawyer* of last week, and again of this day, some editorials that would be of service, in a more condensed form. They are, I presume, from the pen of an occasional writer. All that can now be done is to give in short and pithy articles, the grounds of objection to D. [Dodge] and of support to Lowe. The instructions of the Legislature on the boundary question ought to be published, and a few references made to the circular, to show the awkwardness of the man's (Dodge's) position, and his creeping out in the *Gazette* should be ridiculed, as showing a want of manly independence.

"My health is still going down, and at present is said to be affected by dropsy of the chest. I write with great difficulty, and avoid it as much as possible. I hope poor Shelledy, [Stephen B., then U. S. Marshal], will be restored to health, but I have not heard from him since he went home.

"Your friend,

JOHN CHAMBERS."

During the period covered by my correspondence with Gov. Chambers, I was the editor of the *Iowa Standard*, and was not only vigorously advocating the Whig cause, but warmly indicated him from the attack made upon him by his political opponents, and this will explain some of the allusions in the following letter. The person referred to therein as "Blue-ice," was the editor of the Democratic paper at Iowa City, named Palmer, a nickname I had given to him in some of my articles, and which adhered to him so long as he remained in Iowa. The politicians of that day will recognize the other allusions to persons in the letter, which is as follows :

"BURLINGTON, 29th October, 1845.

"*My Dear Sir:*—I owe you a letter, and an apology for not having written it

long ago. My wretched health, and the pain it gives me to write, will, I know, insure me forgiveness for the seeming neglect. Since I saw you, I have been out of the confines of eternity, and am so much reduced that even now, that my physicians say I am convalescent, and have regained some ten or twelve pounds of my lost flesh, you would scarcely know me. Yet under all this suffering, I have performed my every official duty promptly, sometimes lying flat on my back, dictating to my private secretary, and again scrawling illegibly for him to copy. I have betaken myself to my farm, and go to town two or three times a week for the dispatch of business. You would be amused to see me feeding the pigs, turkeys, etc., and the efforts I make to work.

"I have not seen 'Blueface's' call upon the President to remove me, but am truly indebted to you and Edwards, (editor of the *Hawkeye*), for the manner in which you have scourged the puppy, and the handsome things said of me. I am utterly at a loss for the reason of their not having removed me before this time. The great Cæsar, [Gen. Dodge,] has not condescended to speak to me for about two years, and it cannot, therefore, be that I am indebted to his good offices. It is probable, however, that Leffler, [Shepherd Leffler, President of the Council, etc.] will be here in a few days, with his commission as Governor in his pocket. He has gone to Washington, disavowing any wish to be Governor, but you know an obliging fellow as he is, could not resist the wish of the President to put him in office. I have asked leave of absence for the winter, (not of necessity, but of choice), but Mr. Secretary of War Marcy, has not deigned to answer my letter, and may happen to be told, (what he ought long ago to have discovered), that not being a gentleman himself, he does not know what is due to one. I must go to Kentucky, and whether I hear from the throne or not, or whether removed from office or not, I will go some time next month, and if not removed, you will have the benefit of Col. Jessie's [Williams] administration.

"The hope of help from New York is no longer to be entertained, and until new excitement gets up here, I fear you can do nothing.

"With great regard, your friend,

JOHN CHAMBERS."

The bitterness and harsh language employed in the two foregoing communications of the Governor towards his political opponents, are excusable on this ground: As the contest over the adoption of the Constitution increased in bitterness, the coarsest vituperation was poured out upon the head of the Governor, by the Democratic press, and the delay of the administration in removing him, and perhaps the internecine feud in the party over that office, only added fuel to the fire. The most personal and outrageous assaults of this character came from the person designated as "Blueface," who was then the editor of the *State Reporter*, and hence the Governor's hostility to this man. The election in the following November

sulted in a drawn battle; for while the Whigs failed in electing Judge Lowe, they succeeded in defeating the adoption of the Constitution. The Whigs, therefore, were greatly elated and encouraged by the result, while their opponents were as greatly disappointed. Gov. Chambers made his visit to Kentucky, as he wrote me he would, but whether with or without leave, I am unable to state, and while he was absent James Clark was appointed Governor in his stead. While he was in Kentucky, I received from him the following letter:

“WASHINGTON, Ky., 28th Dec., 1845.

My Dear Sir:—Your letter came to this place while I was in the interior of the State visiting some of my children, and I only returned last evening. Accept thanks for Gov. Clark's message. It has a few strokes of demagogueism in it, considering all things, might have been worse. What the d——I did [Jefferson Leffler, afterwards elected to Congress] and Morgan, [Jas. M. Morgan, known as “Little Red,” from his sandy beard and complexion], suffer themselves to be shoved off their chairs for? They ought to have held on, and had a right to do so. Well, I like it notwithstanding. They may shove Mr. L. into the river, without my complaining. Morgan I pity; but he doesn't deserve it; he has not wit enough to take the bull by the horns, even to save himself from being gored, and you will find the adhesive qualities of the party will be strong enough to sustain Judge W. [Joseph Williams, then one of the territorial judges], Gov. L., and all the *temporarily* dissatisfied members of the party. 'Cause why? Each of our aspirants to the office of Governor, will be an aspirant to the U. S. Senate, and their only chance is their adhesion.

You have been a little impolitic in chuckling over the prospect of a split, in your editorials. It will be used by the cunning to drive the weak back into the ranks—they will say, ‘See how the Whigs are using your defection, and laughing at the prospect of your wrecking the party!’

I fear nothing will result from your letter to Curtis. He is a mere creature of Webster, and no doubt wrote to me at his instigation. The prospect of an equal division in the Senate has made Iowa important. I hope your projected establishment at Bloomington will turn out well, but there is always such wretched apathy in a beaten party, that I fear it will be difficult to secure such a support as ought to have. I will write to Crittenden on the subject of securing you a copy of documents. He will be able and willing to concert the course to be pursued with both the Senators and Representatives.

I cannot but look forward to some action of the legislature on the subject of a new Government. They will be urged to it from head-quarters, and are, notwithstanding their plundering the last session, willing enough to believe that they hold the destinies of Iowa in their hands. If they should direct a vote to be taken for or against a Convention, it will afford you a good theme upon which to urge them. Their *perfect knowledge of public opinion*, manifested at the last

session, induced them to reject the executive recommendation to submit the question to the people, and yet they will have to come to that at last, or worse. They will have to assume the power of ordering a Convention without authority delegated or even contemplated when they were elected, and during a session held without authority of law, and in defiance of the adjournment *sine die* of the regular session.

"My health is improving and my flesh increasing, but I am still a good deal weaker than when in health. The prospect of a complete restoration is more favorable than I had hoped for, and I shall be with you early in the spring, as I take hold of the plow-handles, or *put my shoulder to the wheel*, as circumstances may require.

"The President's message and Gov. Cass' speech on his resolutions, taken together, indicate anything but peace, though I do not believe either of them will lead to war or intend to put the boundary question on that issue. The object is to bluster and make a show of spirit which they do not possess, and in doing so they will probably over-shoot the mark, and involve us in an ever-to-be-lamented controversy for which we are wholly unprepared, and in which we must suffer most severely before we can put ourselves in attitude of defense.

"Present my best respects and kindest regards to our friends, Shelledy, Munger, and all our good and true Whig friends, and tell them I pray Heaven to bless their labors in the good cause.

Your friend,

JOHN CHAMBERS.

The allusions in this and the preceding letter require some explanation for the benefit of those of my readers who have not come upon the stage of action within the past forty years. I have before remarked, Gen. Dodge had defeated Lowe the delegate, and was now in Washington City, and, as Chambers says, was near the *throne*; the applicants for governorship were impatiently awaiting his action, and each anxiously expecting the appointment. But Dodge, remembering, in the language of Holy Writ, that he who did not provide for his own household, was worse than an infidel, and believing that chaos began at home, to the consternation of the applicants and their friends, secured the appointment for James Clark, his brother-in-law, who does not appear to have been a candidate, nor to have been thought of in that connection. Of course there was friction and denunciation in the party, but Governor Chambers' anticipations were realized; the hubbub was quieted; and Leffler and Morgan were subsequently provided for. The allusion to the threatened war in the last paragraph of the last quoted letter, refers to the Oregon boundary question.

During the Presidential campaign of 1844, one of the rallying cries of the adherents of Polk was "54°40' or fight," while the followers of Clay concluded that "49°" was the true boundary line; and had the party in power carried out its professions before the people, there can be little doubt that war with Great Britain would have followed. But wiser counsels prevailed, and during the existence of the administration the question was settled by treaty, upon the theory advocated by the Whig party. I may as well say here, for the like benefit of my readers, and that they may understand who are the persons alluded to in these letters, I have thought it advisable to give between [brackets] their full names and designate the positions they occupied in the Territory or in their party, so far as I am able.

Gov. Chambers was still in Kentucky; his complaint had returned, hence the depressed tone of the following letter:

"WASHINGTON, Ky., 16th February, 1846.

My Dear Sir:—Your letter of the 29th ultimo reached me a few days ago, and contains matter enough to depress the spirits of a person of more energy than I possess. Recklessness and drunkenness among men entrusted with legislative power, are enough to indicate the road to ruin, if there were no other guides. I cannot indulge in reflections upon the existing and prospective state of affairs in Iowa; for both my mind and body are enfeebled by disease to such a degree as make it a work of labor and pain to write a few lines. A return of the disease, from which I suffered so much last summer, has completely prostrated me and will probably finish my earthly career, the opinion of the doctors to the contrary notwithstanding,—(they think or say the disease may still be counteracted.) I do not wonder at your feeling depressed under existing circumstances, I am totally at a loss to advise you what to do, but at all events, do not leave the Territory without some certainty of employment elsewhere. Cincinnati and Louisville, like every other place of business, are overstocked with professional men and persons connected with the press, and are withal more expensive to live in. If I live and have strength enough, I shall return to Iowa in the spring. I shall not be contented here—the very sight of the negroes annoys me. I shall not be able to go to Washington, even if a change in my health should now take place, which I see no prospect; the very stomach is a perfect drug shop. It would have been gratifying to have regained as much health and strength as would have enabled me to talk on the stump on the subject of the forthcoming Constitution, but I should not have been disposed to participate in its formation, for it will not be ultra-Democratic in some respects, and like the rejected one, infamously Democratic in others.

"I have written to Crittenden on the subject of supplying Iowa with documents etc., and know he will attend to it with great pleasure.

"I am truly glad to hear that your family have continued to enjoy good health; their kindness to me while amongst them is remembered with gratitude, and will be while I live. Present my kindest regards to all of them, and be assured that I remain

Most truly, your friend,
JOHN CHAMBERS."

In my daily intercourse with Gov. Chambers, I had conversations with him upon many subjects, and most of the facts recited in this article, were derived from those conversations; but I do not now remember whether he ever expressed himself upon the subject of slavery. I assume that he had been the owner of slaves, and when in Congress he had voted against the reception of what were designated abolition petitions, as did most of the members of Congress of both the Whig and Democratic parties. But I judge from his remarks in the foregoing letter, that he had changed his views, and that he realized the evils which that system of labor was inflicting on both the white and black races. And the reference to my changing my location, requires this explanation: Owing to my taste for political controversy, and my attachment to the Whig cause, I had been since my advent in Iowa, editing the *Iowa Standard*, without compensation, and at the same time completing my study of the law. The paper was poorly supported, the patronage being mainly in the hands of the opposite party, and was unable to pay for my services. At the date of that letter, I had just been admitted to the bar, and I thought of a wider field for my labors in that direction. However, I finally concluded to remain in Iowa City, and never had reason professionally to regret the choice I made. In the meantime, Gov. Chambers had returned to Iowa, and a new constitution had been framed and adopted by a vote of the people. In the contest over the adoption of that instrument, I had been a candidate for the territorial council, nominated by the Whigs, but, as the district was Democratic, was defeated, as I expected to be. After the result was known, I received a letter from Gov. Chambers, from which I extract the following:

"GROUSELAND, 17th August, 1846.

My Dear Sir:—Your letter of the 10th inst., gives me the unpleasant news of your defeat in the late contest, and confirms the impression entertained here, (though not confirmed by official returns), that the new constitution has been rejected. I had hoped for a different result in both cases, but nothing can be depended upon which depends upon locofoco intelligence or consistency, and we must, therefore, prepare ourselves for the misrule and ruin which will result from the ascendancy of such a party in all the departments of the new government; I shall be greatly disappointed if the payment of the taxes in the first two years does not produce a revolution, especially as it will be accompanied by a U. S. tax, if Messrs. Polk, Dallas, etc., have nerve enough to make such a provision the support of a bankrupt treasury; and bankrupt it will be before ten months will roll round. Treasury notes and treasury drafts, without a cent to redeem them, must go down, and the government will not have credit enough six months hence to borrow five millions of dollars at a less rate of interest than ten per cent. These things seem as clear to my understanding as did the bankruptcy of the treasury in 1837, when I was compelled to travel to Washington to aid in authorizing Mr. Van Buren to issue treasury notes to meet the exigencies of the treasury. I will live the few days that remain to me in the confident hope that suffering will bring the people to their senses. The old "Keystone" is already undergoing the process in anticipation of the glories of free trade. But, enough of this, in which I ought to cease to take too much interest, as I probably shall not be able to see the changes for which I hope.

You ask if I cannot visit your city. I could not bear the fatigue to ride from Wilmington, and although I am better in my general health, I am yet a mere skeleton (weighing 127 pounds). I should like to have a long talk with you.

"Yours truly,

JOHN CHAMBERS."

After the adoption of the State Constitution in 1846, and in the fall of that year, the Whig party was about to hold a convention to nominate state and congressional candidates, and it was in relation to the course to be pursued, that the following letter was written:

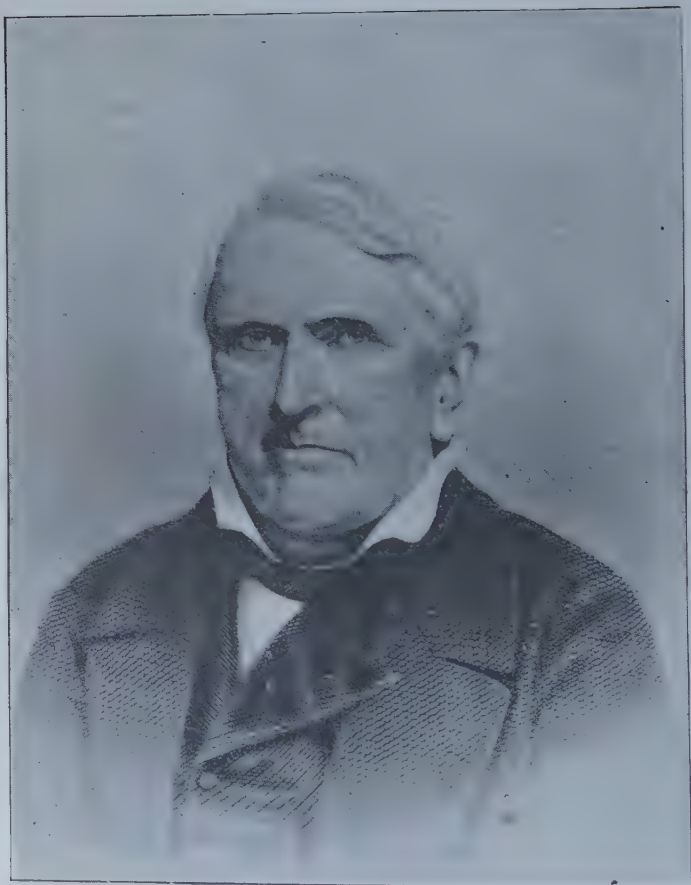
"GROUSELAND, 14th Sept., 1846.

Dear Clarke:—On going to town this morning, your letter of the 10th inst. was handed to me at the post office, and I hasten to reply to it. I mix so little with the Burlington politicians that I know very little, indeed nothing, of their views in relation to the proposed convention. * * * You say I have been spoken of by some of my friends as a candidate for the office of Governor, and I have been urged by a number of them to consent, but have invariably declined; and should my name be mentioned in the convention with a view to nomination for any office, you are authorized to say for me, that the state of my health, tho' generally improving, forbids the idea of my availing myself of the suggestion of my friends to become a candidate for office, *at this time*. I say *at this time*, because, if my health should be re-established, and the

Whigs of Iowa should at any future time indicate a wish that I should take this field, I shall not hesitate to assume any position they may assign me.

"So much for myself. Now as to the Convention. For the purpose of consultation, and a change of views and opinions, it has my hearty concurrence, but I doubt the propriety of making nominations, for the reason that I find there are a good many of the Democrats who mean to avail themselves of their pretended aversion to caucus nominations and convention dictation, to vent their spleen upon their party for not nominating the men they want, and it is doubtless pretty well understood among them who are to be the nominees. Dodge and Leffler will stand off from the Convention nomination, and will contend for the senate. I am pretty well assured that Leffler will not suffer himself to be put upon any other track, and has full confidence that he can beat D. One senator and one representative must come from the north, and of course Judge Miller and Hempstead will probably be the men. If Leffler declines to run for the House of Representatives in Congress, they will be at a loss for a southern candidate. Johnstone would do; the county of Lee would kill him. Hall and Mills are cast off by the Dodge party, and will probably go against them, but they have but very little influence. Well, now for Whig candidates. I have given some currency in this county to the idea of running Shelledy [Stephen B., U. S. Marshal under the Harrison administration,] for Governor, and a member of the late Convention from Wapello county, whose name I have forgotten, is also spoken of. The Whig vote of this county would be given to Shelledy without a division, and as opposed to his predecessor, Governor L., [Lucas] would get some Democratic votes. Upon the whole line of the Des Moines, he would be invincible, going in strongly for the improvement of the river, and having a local interest in it. McCarthy [Jonathan] is going in for Congress, I have no doubt, and it is believed by many, that he was even run beyond the Possum ticket in Lee county, by several hundred, and he is said to have made a favorable impression in Van Buren. He runs, if at all, as a Democrat, opposed to the vetoes and against the new tariff. I have not much confidence in him, but if elected, he must owe his election to the Whigs, and standing committed upon these leading measures, would have to abide his pledge. I cannot think the Dr. you mention [I cannot now remember who this person was] would have the slightest chance, and altho' a firm man and a sound politician would, under existing circumstances, do more harm than good. Indeed, I believe if McCarthy runs, it would be the best policy to start no thorough Whig candidate. There is trouble brewing in the Democratic ranks, and many of them would throw off upon McCarthy, who would flinch if they thought their votes might contribute to the election of two Whigs; and in fact, if that class of voters split, as they would do, between the two Whig candidates in making up their ticket, they would not do either of them any good.

"As to the Union ticket, which originated in Lee, I fear it will do us no good under existing circumstances, but if there were more time to operate, I believe it would take. I learned to-day that it was favorably received last week at Henry Court, and that McCarthy and others made speeches in favor of it. I hope Henry will not fall into the measure unless it becomes general, and of that there



John Chambers

little probability. I think it would be bad policy to name McCarthy in the convention as in any way connected with the Whig interest.

I suffer very much from pain in my breast when writing, and a letter the length of this, requires an effort. I shall expect you after the convention is over, and hope to hear from you after its adjournment, if anything occurs that you think worth communicating. Hawk's nomination for congress won't do at all. Tell you why when we meet.

Yours truly,

JOHN CHAMBERS."

The foregoing letters of Governor Chambers portray his character, particularly as a politician, more vividly than anything I can write. They show that he was an intense Whig and a bitter partisan. In the campaign which resulted in the election of Mr. Polk to the Presidency, three important questions were discussed before the people. These were the threatened war with Mexico; the Oregon boundary; and the subject of the Tariff; and to all these proposed measures the Whig party was bitterly opposed. While the official position of Governor Chambers, as well as his health, prevented him from taking an active part in the contest, he was none the less deeply interested; and when the result secured the election of Polk, he conscientiously believed the country was threatened with serious danger—hence the prediction he made in his letter of the 17th of August, 1846. Contrary to his own expectations, he was spared to see those predictions realized, in measure, and to witness the change in the minds of the people that he never supposed that he would be to see. But while Governor Chambers was bitter as a partisan, and made political enemies, the hostility was entirely so, and not personal. He was courteous and affable, and so kindhearted, that persons could not have intercourse with him, without feeling for him a certain regard and affection. He was a Kentucky gentleman of the old school, and indulged in the hospitality for which that state was famous. As illustrating this phase of his character, I may mention a circumstance that occurred between him and ex-Governor and senator elect John H. Gear, and I trust the latter will pardon me for mentioning it, without his permission. It seems that when a boy, Gear carried certain dispatches from the Indian

Agency to the Governor. His boyish appearance attracted the Governor's attention, and after some conversation, as was the custom in those days, he invited Gear to take a drink, which the latter assented, and the bottle and glasses were produced. In those days, the Germans had not yet invaded Iowa and beer was not in general use; the people were too poor to purchase and drink wine; prohibition had not then been invented as a panacea for the evils of intemperance; and whiskey was the common drink—and it was corn-juice at that. But the Governor's whiskey came from Kentucky, and was the genuine old Bourbon, and Gear informed me that it was the first whiskey he ever drank—but he did not say it was the last. When Governor Chambers used stimulants in a moderate degree, I never saw him under the influence of liquor, and he did not present the appearance of a person who had ever indulged in excess.

In 1846, the State Constitution was adopted, and in 1846 Iowa was admitted to the galaxy of States. In the State elections of that year, 1846, the Democrats were successful and the Whigs had but little hope for the future. But, in the national elections of 1848, the Whigs were triumphant, and Gen. Zachary Taylor, one of the leaders of the Mexican War, which the Democrats had inaugurated, was chosen President. After the election of Taylor, I have no letters in my possession from Gov. Chambers, till 1850, but I believe our correspondence was continued. But he continued to reside in Iowa and in 1849 was appointed by the Taylor administration commissioner to negotiate a treaty with the Sioux Indians, which he was successful. This was the last official position he ever held. I come now to the last letter I ever received from Gov. Chambers, which is entirely personal in character but which exhibits his kindness of heart. While the letter appears to have been written at Hudson City—a town of which I have no recollection—it was mailed at West Liberty, a village midway between Muscatine and Iowa City; it shows that the Governor was still in Iowa, and preparing to make his home in that neighborhood. Why he abandoned his place

for Burlington, I am unable to say. This letter is as follows :

“HUDSON CITY, August 7th, 1850.

My Dear Sir:—I received your kind note some two or three days since. It has been my intention for some time past to visit Iowa City. Professional duties have prevented me from doing so. There has been considerable disease in the neighborhood since I had the pleasure of seeing you, and all my time has been consumed in visiting the sick. Since I saw you I have purchased from my son, John, the tract of land opposite Mr. Hudson's dwelling and am now engaged in building, and preparing to build, a dwelling, etc., consequently have declined to go to Iowa City for the present. My wife is now at Tipton on a visit to Lewis. I desire to be remembered most affectionately to all the ladies of the household. Present my respects to them, and kiss them all for me.

“Yours sincerely,

JOHN CHAMBERS.”

At this time the Governor was nearly, if not quite, seventy years of age, his interest in Iowa politics had in a great measure ceased, and my own cares, professional and otherwise, demanded my whole time; and through these circumstances, my correspondence came to an end. How long he remained in Iowa after this, I am unable to say, but in 1852, he had returned to Kentucky. His disease, dropsy of the heart, from which he had been so long a sufferer, returned, and he had grown to be very fleshy. It caused his death, at Paris, in that State, on the 21st of September, 1852, in the 73rd year of his age, and thus passed into the Future Life—

“That borne from which no traveler returns”—

A devoted patriot, a good citizen, a faithful servant, whose whole life had been given to the public service, and whose memory deserves the highest meed of praise, and is worthy of commemoration. The second portrait of Governor Chambers is taken from a portrait in oil, painted by George H. Yewell, an Iowa artist, now residing in New York City, and shows him in his later years and near the close of his life.

While engaged in preparing this article, I sought information in various directions, desiring to make it as complete as possible at this late day; and those to whom I applied were Gov. Gear and Samuel W. Durham, Esq., who still survives in his 75th year, and who was a member of the first Constitutional Convention, representing Linn county, and from whom

I received replies. The letter of the latter is full of interest mentioning as it does so many of the early citizens of Iowa who were then prominent, all of whom have passed away, and all of whom were known to Gov. Chambers, and confirming the statement in this article as to the personal character and standing of the Governor, even among his political opponents—Mr. Durham being one of that number. Deeming these testimonials to the character of Gov. Chambers worthy of preservation, I take the liberty of appending them to this tribute to the memory of my old friend. The letters copied in this article are in the collections of the State Historical Department.

“WASHINGTON, D. C., February 13, 1894.”

“WM. PENN. CLARKE, ESQ.,

Kellogg Building, Washington, D. C.

“*My Dear Mr. Clarke* :—I have yours of the 12th and note its contents. I am surprised to hear there is no mention of Gov. Chambers in any of the encyclopedias.

“He was a distinguished man, being on the staff of Gen. Wm. Henry Harrison during the Indian wars and distinguished himself very highly. I recollect very well when I first saw Governor John Chambers. It was in September, 1843; I was then a lad, having left Fort Snelling to go to Burlington to make it my home. You will bear in mind that the Governors of the Territories then were also Superintendents of Indian affairs. Col. Bruce, of Fort Snelling, was then agent for the Sioux Indians. Hearing that I was going to Burlington, he gave me some dispatches to carry to Gov. Chambers. On arriving at Burlington, I presented myself. Being but a mere boy the Governor was quite inquisitive to know how I came to be made bearer of the dispatches. I told him that Col. Bruce, the Indian agent at Snelling, had given them to me to pay my expenses, and from that time until he left Iowa he treated me with the greatest consideration. While his office was in the town of Burlington, his home was on a farm eight miles west of the village. He was a most delightful man in his manners, thoroughly upright and just, and impressed me, as he did everybody else, as being a man of very great ability. He was appointed by President Harrison, and served as Governor of Iowa Territory until he was removed by Mr. Polk, being succeeded by the Hon. James Clark, of Burlington.

Yours truly, JNO. H. GEAR.

“HON. W. PENN. CLARKE,

“MARION, IOWA, Feb. 14, 1894.”

“*Dear Sir* :—I have a recent letter from my daughter Mary, in which she says you are preparing an article for an Iowa magazine, and that you expressed a desire to hear from me about some historical points, as to Gov. Chambers and the Iowa Territorial Constitutional Convention No. 1, which convened at Iowa City, October 1844.

John Chambers, a sterling, sturdy, fresh-complexioned, honest gentleman from Kentucky—an importation—as the phrase now goes, was appointed about the time of President Harrison's death, displacing Gov. Lucas, who was sent on here from Ohio by President Van Buren in 1838. Lucas had served in the War of 1812, in Harrison's army, with Colonel McArthur, afterwards Governor of Ohio, and both were surrendered by General Hull to the British General Proctor. Lucas was no doubt considered by General Harrison as an offensive partisan, as it is now termed, that is, he was a Democrat and Chambers was a Whig. This was always the only criticism I ever heard any Democrat allege vs. John Chambers. He enjoyed the respect of all, but when Mr. Polk was elected, he naturally anticipated a removal, which took place in 1845, and Chambers not very long after went back to Kentucky, having served about four years. James Clark of Burlington, a brother-in-law of A. C. Dodge, succeeded him; he, Clark, had been a member of the convention of 1844. He was a very respectable, quiet kind of a gentleman, slender and thin in build, and he was the last Territorial Governor. But why should I rehearse so much of these things to you, who no doubt know more about it than I. As to the Convention of 1844, presided over by Shepherd Lefler, it made several innovations on common State constitutions, the substance of which were incorporated into the next two succeeding ones, to wit in 1845-'56-'57. One was an elective Judiciary by the people, which was opposed very strongly by Maj. T. J. McKean, afterwards General McKean of Linn County, and others. Another was limitations of State indebtedness to \$250,000, which has no doubt saved this State from a debt of millions. Another was biennial sessions of the Legislature. Another, and which was not put in your convention and constitution, was a prohibition of any bank under State authority from issuing any bills or notes to circulate as money; the idea was that all paper money should be issued by the general Government in the form of treasury notes or something similar. This matter was discussed very warmly, Hempstead, Langworthy, Gen. Gehon, Olmstead, Dr. Bissell, Judge John Taylor, of Cascade, and I think Judge Grant in favor, besides myself. It was opposed by W. W. Chapman, Ebenezer Cook, R. P. Lowe, and Gov. Lucas, T. J. McKean, et al.

But the boundary question killed that Constitution. Edward Langworthy and the northeastern delegates insisted that the line should run up the Mississippi to the Earth River and take in to Mankato, thence west far enough about to strike the divide between the Missouri and Mississippi. In the light of subsequent events, this boundary should have been rejected.

"I am, respectfully, your obedient servant,

"SAM. W. DURHAM."

THE TWENTY-FOURTH IOWA VOLUNTEERS.

FROM WINCHESTER TO DAVENPORT.

BY CHAS. L. LONGLEY.

WINCHESTER AND FISHER'S HILL.

The unfinished narrative of Sergeant T. L. Smith, the last installment of which appeared in the October (1893) number of the "Annals," left the Twenty-Fourth Regiment of Iowa Volunteer Infantry encamped near Charlestown, West Virginia, on the first day of September, 1864. It belonged at this time to the Fourth Brigade, Second Division, Nineteenth Army Corps—the Brigade being composed of the 24th and 28th Iowa, and the 8th and 18th Indiana Regiments. The Brigade was then a part of the Army of the Middle Military Division, better known as the Army of the Shenandoah Valley, the command of which was assumed by "Little Phil" Sheridan on the 7th of August preceding. The Nineteenth Army Corps was commanded by Major General W. H. Emory, the Second Division by Brigadier General Cuvier Grover, and the Fourth Brigade by Colonel David Shunk, of the 8th Indiana. Lieutenant Colonel John Q. Wilds was at this time in command of the 24th Iowa, with Major Ed Wright for his Lieutenant. A search in the archives of the Adjutant General of this State—perhaps the only similar office in the country to which regiments in the field were required to send, or did send, duplicate of monthly consolidated reports—reveals the fact that the total strength of the 24th at this time (August 31st report) consisted of twenty-nine commissioned officers and six hundred and sixty-eight enlisted men, of whom six commissioned officers and two hundred and forty-two enlisted men were absent, sick or on detached service, leaving twenty-three commissioned officers and four hundred and twenty-six enlisted

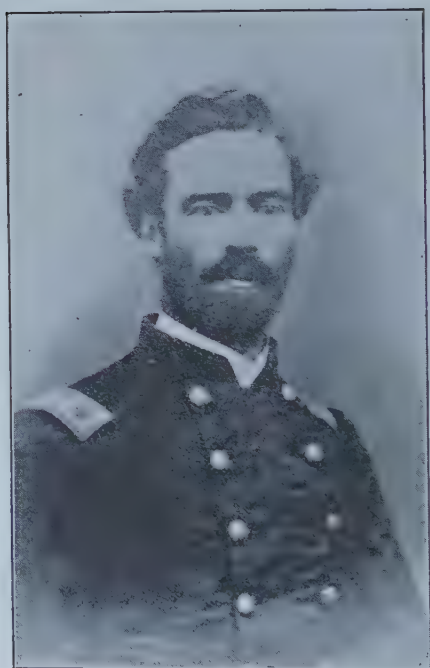
en present. As one of the former is reported on special service, and eight of the latter sick, the aggregate actually present for duty was twenty-two officers and four hundred and eighteen men, which may be taken as substantially the number participating in the battle of Winchester, three weeks later.

The Regiment moved to Berryville September 3d and remained there until the morning of the 19th, participating meanwhile in several exhaustive marches and stirring reconnaissances; but as no casualties resulted, an attempt at detail will be unnecessary. Upon the 18th of this month came the significant order to send back everything that could not be carried upon the persons of the men or the horses of the mounted officers, and to be ready to march at two o'clock next morning with three days' rations in the haversacks. The historic interview between Grant and Sheridan had just taken place, which resulted in the most laconic instructions ever given by a Commander-in-Chief to a subordinate who, with a large army, was just opening an independent and vastly important campaign. Cæsar himself ceased to be the model of brevity when at this time General Grant said to General Sheridan, "Go in"! The loyal Winchester girl, Miss Rebecca Wright, had just communicated to General Sheridan information of the movement of General Kershaw's Division of the Confederate Army, then under command of General Jubal A. Early, toward Richmond; and on the third day after the interview with General Grant, General Sheridan *went in*.

Under the orders already noticed the 24th Iowa moved out of its camp at Berryville at three o'clock on that pleasant Monday morning, September 19th. After marching some two miles on the Winchester pike a halt of two hours was made to permit the Sixth Corps to take the advance through the narrow defile known as Berryville canyon and leading toward the camp of Early's forces, then camped a short distance south of the town of Winchester. It was after sunrise before the command was again put in motion, and toward eleven o'clock, when, turning to the right, it was deployed on the right of the 11th Corps—the Second Division constituting the right of

the Nineteenth Corps, and the Fourth Brigade the right of the Division, which was not at this time connected with, upon its right, or supported by, any other command, although the First Division and further back, the Eighth Corps, were held in reserve.

In a paper like this it would be neither practicable nor desirable to attempt the presentation of the formation of the entire army nor of the details of the battle. Our concern is with the 24th Iowa, including only such outside facts as are necessary to a tolerable degree of intelligibility. An hour or more had been consumed in getting into line as stated. The rattling fire of skirmishers and the shuddering cry of the cannon have for some time told of the presence of the enemy in the belt of woods to the front and right, when, at twenty minutes before twelve o'clock, the order for a general advance is given. The 24th Iowa never moved into an engagement in better shape than on this occasion. Every man was in his place, and the line started across the open in as fine form as if it was only out upon parade. The fire that met its first advance and grew hotter constantly, together with inequalities of the ground and other incidents of such a time and place, were notwithstanding without effect; but it was still a good line before which Ramsour's men recoiled and from which went up the premature cheers of victory. For the departure of the enemy uncovered the enfilading fire of a well placed battery of seven guns, which a brigade of Rhodes' Division, just arrived upon the field from Stevenson's, pressed in between the Sixth and Nineteenth Corps, and the order to fall back was followed by a race against death or capture. A little point of timber just beyond the most vicious sweep of that enfilading fire was a natural rallying place: and, according to an incident of this battle given by one of General Emory's Staff Officers and published in *Harper's Monthly* for December, 1864, which is reported in Greeley's "American Conflict," it was first utilized by Captain W. T. Rigby, of the 24th, who, with a dozen men, came marching deliberately to the rear and here halted, faced the front and called for three cheers; his little line forming a nucleus which



Ed Wright.

ew rapidly into a formidable one. It is at all events certain that a rally was made here and was at once joined by many of the officers and men of the 24th as well as of the other regiments; and that this line was held against a sharp attack some time and until the arrival of the reserves.

It was from this point that Major Ed Wright started back for much needed ammunition and had ridden some distance when a solid shot, having passed over the line, ricocheted from the ground and, striking his horse between the hams, passed clear through his belly and lodged between his fore poulders. The old fellow spread his feet, stiffened himself, stood fast while the Major dismounted and remained standing like a statue while the saddle and bridle were taken off—lying on his feet before the collapse came. The Major gave the saddle and bridle into the charge of a convenient darkey, who was just then making great haste to change his location, and went on after the ammunition—bringing back a box of cartridges on his shoulder, instead of on "Old Jack" as he had anticipated doing.

But the Eighth Corps finally came up, formed on the right of the Nineteenth and attacked vigorously, while still farther to the right the cavalry of Crook and Averill made its presence felt. This was the beginning of the end. One more grand effort from right to left and the Confederate legions gave way, and, as the day ended, went "whirling through Winchester," quote Sheridan, in full retreat. The victory was a notable one, and coming from the Shenandoah valley, whence heretofore had been heard only notes of defeat and retreat, the news was exultantly received throughout the country—Grant's army at Petersburg firing a salute of one hundred guns, all shotted and pointed toward the enemy!

The tired troops rested that night at Winchester, but next morning pressed on down the valley after the retreating columns. Arriving at Strasburg on the evening of the 20th, the next day was spent in getting into shape to attack the very strong position now occupied by the enemy on Fisher's Hill. This attack, which took place late on the 22d, the 24th, with

the other regiments of the division, formed in front of the enemy's trenchments and skirmished sharply but without serious casualty until the Eighth Corps began its unsuspected advance from a flanking position on the enemy's left. A grand rush then swept everything in absolute rout, sixteen cannon being left in battery near the pike and great captures of men and material resulting.

Pursuit was at once taken up by the Nineteenth Corps and continued through all sorts of obstacles until 3:30 the next morning. The 24th held the advance during this trying night march, and several times received out of the bewildering darkness the fire of the Confederate rear guard. In one instance only was this attended with serious results, when a section of artillery and a line of infantry fired so nearly into the faces of the officers riding at the head of the regiment that the flash of the guns stampeded the horses and sent them crashing back through the crowded roadway. But although the darkness made the scene a trying one, it hid the men aimed at as well as the gunners, and the injury actually received was under the circumstances, surprisingly small. Four enlistees were slightly wounded and one officer, Captain S. J. McKinley, of Company A, very seriously hurt by a bullet which shattered his thigh.

Some strange fatality seemed malignly to follow the brave and capable officer last named. Desperately wounded at the first severe battle in which the regiment was engaged, at Champion Hill—a bullet in his face and his skull broken by a fragment of shell, insomuch that his recovery was thought impossible—he, nevertheless, returned to duty the following spring and attempted to join his regiment at Alexandria, La. While on his way up Red River the boat was fired upon by guerillas, and, as the "boys" said, "of course McKinley was hit," being again severely wounded, this time in the arm. At the time now under consideration he had just joined his command after convalescence from the Red River wound, and was walking in the very rear of the regiment, which was marching left in front. Yet the only serious injury was sustained by

or McKinley; who, as the troops were without ambulances or conveyance of any kind, had to be left at the roadside in the care of a couple of the regimental musicians. And what is more, the details of the experience of McKinley and other wounded, thus left, for the next forty-eight hours, would fill a larger space than is allowed in this paper and prove vastly more thrilling. For Mosby's guerillas came upon the scene and actually ended the suffering of some of the poor fellows by shooting at them as they lay upon a hovel floor, under which they were hidden. Captain McKinley, however, survived and recovered and for some years appeared to be a well man; and though later in life more than half a hundred bits of bone from that shattered thigh worked out at different portions of his limb, and he walks to-day with two crutches, he is still a very live man, as many of his Iowa friends can testify. The result of Early was continued down the valley to Harrisonburg, but the active work of this part of the campaign was concluded with Fisher's Hill—the regiment being authorized by general orders to have the names of both the battles here noted blazoned upon its colors.

In the two engagements the 24th sustained serious losses among its best officers and men, as follows: *Killed*:—Captain R. Gould, Company D; First Lieutenant S. S. Dillman, Company E; and privates W. H. Davis, J. W. Arbuckle, W. B. Cocker, A. D. Carmichael, Theo. Stinger, H. M. Reed, G. F. Freeman, C. H. Dean, Harvey Williams. Four officers were wounded, including Captain McKinley, Lieutenant R. S. Williams and Adjutant D. W. Camp, all severely—and Lieutenant W. W. Edgington, slightly. Fifty-six enlisted men were also wounded, very many of them severely, and three were taken prisoners, bringing the total casualties up to seventy-four officers and men. To the list of the killed should also be added the names of seven men returned as "wounded," but who died of their wounds within the next few weeks, namely: William O. Miller, C. F. Bumgardner, Samuel Godlove, Israel Ritter, Cornelius M. Westfall, John W. Carmichael and Sergeant C. L. Foote.

The two company officers who have gave their lives to the cause of their country were among the best of many good ones in the regiment. Joseph R. Gould, Captain of Company D, was born in Massachusetts and was at this time 30 years of age. He enlisted at Pedee, Cedar County, August 11, 1862, and was mustered in as First Lieutenant of his company. He was a competent and considerate officer, and withal as brave as a lion. He was shot through the abdomen by a musket ball; and although he lived until the next forenoon, those who lay near him through that terrible night on the battle field will never forget the cries of anguish and pleadings for relief that were wrung from him by the torture of those sluggardly hours. Sylvester S. Dillman, among many students, was the most scholarly man in the regiment. Born in Ohio in 1828, he graduated from college and entered upon the profession of teaching, to which he was only less attached than to the wife and little ones he left behind when he entered the service. Quiet, refined and thoughtful, there was nothing alluring to Lieutenant Dillman in the life of a soldier. He enlisted strictly from a patriotic sense of duty; his business was to put down the rebellion, and to it he devoted himself with careful and persistent attention to every duty, and quiet but invincible bravery, and finally sealed his devotion with his life.

Of each one of the sixteen enlisted men whose lives were given in this engagement, especial mention might well be made did the scope of this paper permit. So also of the nearly three score wounded, who were next day gathered, with those from the 28th Iowa and some others, into a brick church in the town of Winchester, which was soon transformed into a well organized and excellently conducted hospital. Chaplain Simmons, of the 28th, always stayed on such occasions to look after the temporal as well as the spiritual welfare of his "boys" and the members of the 24th never failed to come in for a share of his attention. It has already appeared that, out of the fifty-six men who were so seriously hurt as to be officially returned as "wounded" in this battle, seven died of their wounds. This was not a large per cent., the conditions as to location, weather,

and care, all being favorable after the establishment of the church hospital. And the weary days of pain spent there were brightened by hope and comradeship as convalescence came general, until some of the jolliest reminiscences with which the members of the 24th regale each other in their recollections of this later day find their rise here. For instance, it is told how "Jack" Pitman, of company B, one day came stumbling into the main ward having in tow a countryman who was carrying a sack of peaches just taken from the nondescript vehicle standing at the door. Jack saw the process of distribution among those present fairly started, but when the bottom of the bag was reached could not be found by the now anxious vendor. After considerable fruitless search, the latter appealed to the surgeon in charge of the hospital on whose order Jack appeared and was confronted by the irate Virginian. The latter explained in a broad local dialect, how Jack had bought his peaches and refused to pay for them. "See here, old man," said Jack when his turn came, "when you gave your old shebang up here I was standing on the steps outside, wasn't I?" "I reckon so, sah." "And you asked me, didn't you want some peaches, didn't you?" "Yes, sah!" "And you brought me one to try, didn't you?" "Yes sah!" "And I told you you better carry them inside, I thought the boys would take some, didn't I?" "Yes, sah!" "Well, what you are now talking about—didn't they take 'em?" The old man's jaws were already fixed for a yet more emphatic affirmation, but he stopped with astonishment at this audacity; and while Jack stepped away the surgeon explained that as the boys evidently thought they were being treated to the peaches, he did not see what he could do anything.

The regiment remained at Harrisonburg until the 29th, then moved on "up the Valley" about seven miles, being stopped by the destruction of the bridge over North River, this being the extreme point reached by the infantry. On the 30th we moved back to Harrisonburg and remained there until October 31, beginning the work of destruction which had been agreed upon as absolutely necessary in order to end the Confederate

use of that rich country as a supply depot, as well as a provisioned route through which to make raids and forays. In this way the retrograde movement was leisurely conducted through Newmarket, Mt. Jackson and Woodstock, stopping a few days near Strasburg and finally, on October 10th, making an entrenched camp on the east bank of Cedar Creek just at its confluence with the Shenandoah river, where the next great act in the drama was played.

REV. SAMUEL CLARKE.

THE PIONEER METHODIST CLERGYMAN OF SOUTHEASTERN IOWA.

BY HON. SAM. M. CLARK.

About the time of its date, the following communication appeared in the Burlington *Hawkeye*:

DES MOINES, March 8, 1894.—*Editor Hawkeye*: The Historical Department is engaged in an effort to secure as far as possible oil portraits of the men and women who bore distinguished parts in the early history of our state. Among these, it is especially desired to obtain portraits of the early representative clergyman or missionary of each of the great religious bodies. We now have fine portraits of the Rt. Rev. Henry W. Lee, First Protestant Episcopal Bishop of Iowa, and the first Catholic Bishop of Dubuque. Several others are promised at no distant date. After much inquiry, I have no doubt that the foremost Methodist Episcopal clergyman of early Iowa was the Rev. Samuel Clarke, whose arduous labors are well remembered by our surviving pioneers. My purpose in writing this communication is to call the attention of the Methodist Episcopal Conference, which is to meet in your city the present year, to this subject, in the hope that some action may be taken in the matter of securing Mr. Clarke's portrait.

Very respectfully yours,

CHARLES ALDRICH,
Curator of Historical Collections.

Samuel Clarke (that is the way he always spelled his name and his father before him) was born near Winchester, Virginia, October 9, 1799. His father, George Henry Clarke, was born

County Cork, Ireland, 1755, and was brought up to the trade of a weaver. He came to America just before the breaking out of the war for Independence, and was a private soldier in that war. He was at the siege of Yorktown. At the end of the war and his retirement from service, he married Elizabeth Mercer, and became a farmer near Winchester. Her people had been long in the colony. One of her brothers was a staff officer with General Anthony Wayne in his Indian campaign, and another brother built the first block house at Cincinnati. George Henry Clarke was raised a Quaker, but when Francis Asbury began to organize the Methodist Episcopal church in America, he became a Methodist, and was counted a wise helper, and counsellor in the new church by Asbury and Bishop William McKendree, the latter of whom often visited him.

Samuel Clarke did not have many school advantages. There was no such thing as education of the masses in Virginia at the close of the last century, and he was not born to the wealth of the large land holders there, who employed tutors for their children, who prepared them for the university. We presume Mr. Clarke got the most of his education after he became a Methodist preacher, which he did in his twentieth year. Wesley and Asbury as the founders of the Methodist church recognized the deficiencies in scholarship of a ministry drawn from the masses of the people and prepared a very wise and thoughtful course of reading and intellectual training for young ministers.

Mr. Clarke's first two years that he was under a preacher in charge, as Methodist usage goes, were with Beverley Wadsworth, afterwards a bishop of the church, and with the man bent for thoroughness and scholarship. So it was a good association for young Clarke. The earliest book that we have of his, is an old battered copy of Ainsworth's Latin Dictionary which belonged to that period of his studies. But he never became a scholar in the university sense. He was always a good reader, and tore the heart out of a book with his intuitive genius for reading and extracting the matter of

books beyond any man we ever knew. He was what Emerson admired, a man who knew the greatness of Shakespeare. He read him all his life and probably was more familiar with his plays and quoted them oftener than any book, except the Bible.

The Baltimore Conference at the time of Mr. Clarke's ministry, embraced Maryland, Virginia and a part of Pennsylvania. Mr. Clarke's appointments while he was in that Conference were at Rockbridge, Hagerstown, Leesburg, Gettysburg, Frederick, Staunton, Fairfax. These years and work brought him to the year 1832. He then went to Ohio, bought a farm in Green County, near Xenia, where he settled his family and became a minister of the Ohio Conference. After nine years there he bought 640 acres of land in Van Buren county, Iowa and moved with his family there. In the preliminary trip that he made to spy out the land to see whether he would like it, he preached at Keokuk in the summer of 1840 to an audience gathered in a grove where now runs one of the principal streets of the city. Iowa and the Iowa Conference were his final field of labor. In the early part of February, 1858, he walked from his farm into Keosauqua and preached to a full house, speaking with all his old time strength and force. He went on to Birmingham and preached twice there. He then went out to Libertyville in the edge of Van Buren and Jefferson counties and preached in a country church. He drove with a friend a few miles to his home, took an inflammation of the throat and died of the croup or diphtheria on the 16th of February, 1858.

Two years ago, at the annual reunion of the old settlers of Van Buren county, that veteran Iowan, George G. Wright, ex-chief justice and ex-United States senator, made one of his reminiscient talks to his old friends and neighbors of Van Buren county. He said substantially: "I wonder how many people here recall the sermon preached by Rev. Samuel Clarke on a Sunday of 1842 at the camp-meeting in Purdom's grove on the river just above Keosauqua. The circumstances were these: Mr. McBride, at that time a leading associate of Abraham Kneeland in his attempt to found an infidel and free-thinking

THE TWENTY-FOURTH IOWA VOLUNTEERS.

FROM WINCHESTER TO DAVENPORT.

BY CHAS. L. LONGLEY.

(Continued from July number.)

II—CEDAR CREEK AND CAMP RUSSELL.

The first paper of the three, to which this sketch of the first year's service of the Twenty-fourth Iowa is restricted, treats that regiment on October 10, 1864, encamped with the army of the Shenandoah on the east, or northeast, bank of Cedar Creek, just where it unites with the North Fork of the Shenandoah. Massanutten, or Three-top, Mountain stretches several miles along the opposite bank of the river, rising to considerable height and pushing, at many points, bluff and seemingly impassable battlements clear to the river's bank. The general course of the Shenandoah here is to the north-east, and Cedar Creek, with many convolutions, runs to the southeast—the two streams making a broadly open Y at their junction. The Winchester Pike crosses the left arm of this Y something like a mile, in a direct line, from the junction. Hooker's eighth corps was encamped between the pike and the river, with an entrenched line near the creek and pickets on the river, while his main camp was some little distance back on higher ground. The nineteenth corps was entrenched along the creek, west, or northwest of the pike; and the sixth corps was encamped to the right and partly in rear of the nineteenth. The fourth brigade, second division—to which the 24th Iowa belonged—held the left of the nineteenth army corps; and consequently but a single regiment—the 28th Iowa—interposed between the 24th and the Winchester Pike, which lay along the summit of a ridge some hundred yards from the position of the regiment.

On October 12th, the sixth corps started toward Washington,

for the purpose of being transferred to Grant's army at Petersburg, but was recalled the next day on account of the arrival of Early's infantry at Fisher's Hill, some three miles up the valley from the Federal position. On this same day General Sheridan was called by telegraph to Washington to consult with the Secretary of War; but being under the impression that the sixth corps was no longer there, Mr. Early, in the vernacular, "got gay" and attacked a reconnoitering column pushing Thoburn's infantry brigade back a little, but getting decidedly the worst of it from Custer. This delayed Sheridan until the 15; and, after getting started, he was overtaken by a letter from General Wright, whom he left in command, inclosing a message, translated by our signal officers from the Confederate flags, which was signed by Longstreet, and said: "Be ready to move as soon as my forces join you and we will crush Sheridan." This afterward turned out to be a hoax gotten up by some smart Confederate expressly to fool the Yankees; but it only had the effect to cause all the cavalry, a large part of which was just starting on a long scout—to be ordered back to General Wright; with which, and a letter of caution, General Sheridan left him and proceeded to Washington as planned.

During this time events in camp were a trifle monotonous. Almost every morning a brigade or more would be started before daylight on a reconnoitering trip, while a good part of the rest of the army would be required to stand to arms. This over, there was little doing except the oft-repeated incidents of camp life. The weather was delightful; at least during the day-time; but already the nights were growing rather cool for out-door sleeping. The 24th Iowa had, on the 30th of September, 17 commissioned officers and 353 enlisted men present for duty, with 2 officers and 4 men on detached duty and 1 officer and 11 men sick—making a total present 388. This would be about the effective strength of the regiment at the time now under consideration. The general health of the men was excellent; but as no clothing had been issued since the beginning of the campaign, there were

five dudes on the list. Indeed, Major Wright says in his report for October, 1864, that, "Many of the men were nearly refooted, but well supplied with arms—Springfield rifle-skets, in excellent condition." On the 14th, however, a supply of clothing was issued to the brigade—beginning 10 P. M. and taking the entire night, eliciting the frequent query as to why in *sheol* this could not have been attended to in day time, when there was absolutely nothing else to do. On the evening of October 18, Lieutenant Colonel Wilds, in command of the 24th, in common with other regimental commanders in the brigade, received orders for the regiment to fall in at 5:30 next morning and stand to arms in the encampments along the creek, taking the place of the second brigade, which was ordered out upon a reconnoissance. Everything seemed quiet and peaceful in that beautiful valley. A message sent out during the day reported that Early had fallen back from the advanced position recently taken, and the impression prevailed generally that he knew when he had enough and would not attempt the offensive again at present. The autumn sun made an unusually grand descent behind the North Mountains, flooding the western sky with purple and gold. The bugle calls of the cavalry regiments (something of a participant in that campaign will ever forget) came floating down from the outposts on the foothills with tones so clear and sweet as seemed only possible to use in again proclaiming "Peace on earth and good will toward men." So the night fell and the Army of the Shenandoah, surrounded by itsordon of guards, was steeped in unsuspecting slumber.

In that other army, less than five miles distant, very different conditions prevailed. One of Early's divisions was commanded by General John B. Gordon—the same man whose voice recently rang out in the chamber of the United States Senate with the declaration that those who in years gone by were the gray were now and at all times ready to stand beside those who wore the blue to protect the flag of our common country from anarchistic foes within, as well as from foes without. General Gordon was a man of thought, as well as of ac-

tion. The result of his cogitations was this night put on the boards with himself in the title *role*. For with three divisions of infantry he forded the Shenandoah some five miles below the mouth of Cedar Creek, and, with canteens, bayonets and everything likely to rattle either thrown off or tied down, took to the mountain side and spent the night threading its rugged paths, about 2:30 A. M. reaching a point just above the mouth of the creek. Here the pickets were quietly captured and the river re-crossed at two fords a thousand yards apart and there you have fourteen thousand men deployed to the left rear of the eighth corps, completely on its flank and only a short half mile away. In the meantime the two remaining divisions of Early's army, commanded by Wharton and Kenshaw respectively, starting later in the night, had advanced along the pike to the hamlet of Strasburg, where the latter deflected to the right and marched to a ford near the mouth of Cedar Creek and directly in front of the eighth corps entrenchments, then occupied by Thoburn's division only. Wharton for his part, followed the pike, halting a little over a mile from where it crossed the creek, which placed him on the left front of the nineteenth corps.

Such was the general situation in the early morning of October 19, 1864. And while these details may not seem apropos in connection with a paper whose purpose is a brief sketch of the comparatively small part taken by a single regiment, they nevertheless enforce themselves upon our attention. For not only is it impossible to intelligently comprehend even so small a part of any battle without some idea of the whole, but it is also true that Cedar Creek was the most striking and romantic of all the battles during the war of the rebellion and that often as its story may have been told, it will still be found worth telling. It was under the circumstances and conditions thus imperfectly set forth, that Major Wright rose about five o'clock, according to the arrangement, with Lieutenant Colonel Wilds, and went quietly down the line among the company officers in order that the men might be ready for the duty assigned. And it was some half hour later

While the command was slowly resolving itself into the condition of a military machine, that all were alike startled and surprised by a ringing volley of musketry, much too close at hand to be easily explained. This was followed by scattering shots that seemed further away—but by nothing tending to solve the mystery. The reader will readily apprehend what had happened; that the first volley was fired when Kershaw rushed over Thoburn's breastworks, and the scattering shots came when the divisions with Gordon advanced into the unprotected camps of the remainder of the eighth corps. In both cases the Union men were as completely surprised as is possible—the "Yanks" making an undignified exit from one end of the "dog tent" just as "Johnny Reb" stuck his head into the other end to say, "good morning." But all this was as yet wholly unknown and unsuspected by the remainder of the army. Major Wright rode up to brigade headquarters, but although he found the officers outside standing about the fire, no information could be gained, and back he went to the regiment, which, under command of Colonel Wilds, had fallen in along the color line, but now began getting breakfast. Few, if any, of the coffee pots had boiled, however, when orders came to again fall in, move by the left, and form along the creek. It was now between 6:30 and 7:00 o'clock, but a fog so dense hung over the valley, that, to quote Colonel Wright, "A hundred colors could not be distinguished twenty yards away." And it was from out of this darkness, made blacker by a near background of foliage, that this advance was met, just as it reached the pike, with a withering volley of musketry. And as the command, still moving and only partially in line along the new front, sought to reply, they saw, away from the pike to our left and rear, silhouetted against the eastern sky, file after file of men crossing in serried array. And this was not all: Wharton, who halted at 5:30, little more than a mile west of where the pike crosses the creek, has advanced, captured the battery guarding the crossing and is now pressing forward on our right. The men were falling rapidly and the capture of the entire brigade imminent, when the order

was given to fall back. Those who still could go, stood not upon the style of the movement. It was a race—not to the rear, so far as the original position of our line was concerned, but through the ravines and over the ridges up and along the creek. And although a number were hurt later in the day, it was here that the principal loss of the regiment occurred, including all the prisoners. It was here that Captain Pound, of Company C, was struck by a minie, fairly on the heel of his army brogan, just as the foot was raised in the act of stepping. The impact hurled him to the ground, under the confirmed impression that his leg was gone; but a quick “try” with both hands proved the contrary and he was glad to scramble up and again join the procession. Here, and very early in the retreat, a musket ball passed through Major Wright’s left arm close to the elbow, striking but not breaking the bone. The immediate result was extreme nausea. Colonel Wilds was riding near him, carrying the colors of an Indiana regiment whose bearer had fallen in the melee. Being told of Major Wright’s sickness, the latter was advised to lean over the horse and put his arms about his neck; which he did, thus saving himself from falling until he was able to dismount. And it was very soon after this, about the time the retreat passed over Meadow Brook, that the gallant Wilds was himself struck from his horse by a musket ball that shattered his arm above the elbow, and it was with difficulty that he was assisted from the field to a place of safety. And here it was that Weeks’ bright Corporal of B, Channell, a fine young Sergeant in Nichols, Carney and others, were stricken with sudden death while many more fell with cruel wounds.

The scene of this retreat was indeed a wild one. The flying Federals heard in the hideous uproar the moans of starving comrades in Andersonville and redoubled their efforts. Officers and men were falling every instant, while close behind, as well as beside as well, pressed the exultant rebels, firing constantly and yelling like demons. But the sixth corps had been on the move; and now, after a retreat of nearly two miles, the 24th as well as the rest of the nineteenth corps, found an opportu-

to reform on the right and rear of that command. At its first contact with the enemy the 6th corps was badly overlapped on the left, and in retiring slowly and in perfect order, making sharp resistance at every available point, and again falling back before getting involved, this body of troops performed superb service and made a most magnificent exhibition of bravery and skill. During Major Wright's sickness, which lasted nearly an hour, the 24th was commanded by Captain L. Clark, who had long before been commissioned Major, but not properly mustered. But just after taking position on the right of the line, Major Wright again assumed command and held it throughout the day.

The dash and vigor of the enemy's attack began gradually to wane as the resistance grew more effective; and by the time the tactics of the sixth corps (in which the nineteenth corps participated after its arrival) had cleared the left flank, its final position some three miles to the rear of the Cedar Creek line was held with no difficulty. Much time was consumed in re-arranging the Confederate troops to meet the new disposition of the Federal Army, and Early himself complains bitterly of the way in which his divisions were weakened by the many who stopped to gather the rich booty offered to the gaggling plunderers in the Union camps. With no new element, the contest would undoubtedly have ended here—the Rebels falling back shorn of complete victory, but carrying with them substantial proofs of great success in the shape of pieces of captured artillery and many small arms, as well as some hundreds of prisoners. But about this time, namely, seven o'clock A. M., a new element *did* appear on the scene in the person of "Little Phil" himself, after the ride from Winchester, twenty miles away," so celebrated in song and story. And song and story has seldom found so literal a basis as so dramatic an episode. For Sheridan's magnificent black horse *did* bring him toward the sounds of battle like a whirlwind; dispirited stragglers along the road *did* turn as he passed and with renewed courage again seek the front; and Sheridan, fully arriving there alone, *did* "dash down the line 'mid a

storm of huzzas," assuring the men that they were "not licked by a blankety blank blanked sight, but would be back in their old camps before night." And so they were. It was almost four o'clock before the dispositions were made exactly to the General's liking; but when the advance was finally ordered, it swept down over the plateau like a tidal wave. The desperate efforts of Early and his lieutenants to resist were futile. Custer led a cavalry charge on the right and Lowell on the left and the entire Confederate army was in a panic-stricken flight resulting in the loss to them not only of fourteen hundred prisoners, but also of all their own artillery as well as that captured from us earlier in the day, and in fact, of everything on wheels which had been brought over the creek.

When the nineteenth corps took its place on the right of the sixth corps, the 24th Iowa was on the left of the former and next to the latter; but about noon Major Wright received orders to move to the extreme right and protect the flank which he did, throwing out a heavy skirmish line. When the final advance was ordered, such brief notice was given the regiment that it became necessary to double-quick a mile to regain its place in the line—the enemy's shells coming over and exploding in the rear, making this an especially interesting performance. And when the continuing advance finally brought them where they could see over the field, clear to Cedar Creek the Major says the pursuit was being pushed so close that you "absolutely couldn't tell where the rebels left off and our fellows began." By six o'clock the regiment was back in its old camp sure enough, and halted there to make coffee. Here also, were found quite a number of our wounded. Most of these had been left because they were unable to march, but Captain Knott, of Company H, had succeeded in escaping by making himself look so much like the dirty crevice into which he had crept that the Johnnies went away and never saw him. In their hasty departure "they were unable to tell which was dirt and which was Knott." Everything of value had been taken from the camp, leaving the men without shelter tents or blankets and when they were pushed on beyond Cedar Creek and

located on a bleak northern hillside without fires, it was to
and about as uncomfortable a night as fell to their lot during
service.

It was here that Major Wright for the first time was able to
have his arm dressed, by this time so swollen that the coat-
sleeve could with difficulty be removed. He had also received
a severe and troublesome bruise on the hip, caused no doubt
by a passing fragment of shell, as the skin was not broken,
though the clothing was torn away. Here also came the
evening roll-call and the sad attempt to account for those who
failed to answer, as killed, wounded or missing. The actual
casualties of the battle, not so large as on some previous occa-
sions, were nevertheless quite sufficient, amounting to one offi-
cer and 10 enlisted men killed or mortally wounded, five officers
and 36 men wounded, and two officers and 39 men captured;
total, 93. Those killed or who died of wounds were as fol-
lows: Lieutenant-Colonel John Q. Wilds, Joseph Conway,
Sergeant Carlos F. Weeks, Sergeant Chester F. Channell,
Sergeant A. C. McCoy, Morris Mink, William Franks, Sergeant
B. Nichols, George S. Smith, Peter Carney, Sidney B. Dia-
mond.

Colonel John Q. Wilds, although brave to a fault, was an
exceptionally tender-hearted man, and was most highly re-
spected, personally, by those under his command. The wound
received by him should not have cost him his life, but under
the circumstances and conditions such was the unfortunate re-
sult. Just the day before the battle of Winchester, one month
earlier, Colonel Wilds learned of the death of his wife, to
whom he was devotedly attached. She left him two beautiful
daughters, and on the very day before the battle of Cedar
Rapids, came to him the tidings that one of these had gone to
join her mother, while the other was dangerously ill. This left
him very despondent, and he not only appeared to abandon
his command from the moment of his injury, but positively refused to
submit to the amputation of his arm. Blood-poisoning resulted,
in which, at Winchester, on the 18th of November, 1864,
he died. If anything need be added to this sad story concerning

Colonel Wilds and his family, it is found in the further fact that the death of his remaining daughter took place at so nearly the same moment as his own that although the disposal of his quite considerable estate depended alone upon which one of them lived longest, the court, after the fullest possible hearing, was unable to determine, and the property was by consent divided equally between the relatives of the Colonel and those of his wife. A brother of Colonel Wilds came from Pennsylvania to Winchester while he lay wounded, and took his remains to Mt. Vernon, Iowa, where in the quiet little cemetery the family were reunited. The Colonel was a native of Pennsylvania, where he was born in 1825. He had been a merchant much of his adult life, was a man of more than average intelligence, of refinement and of the most intense patriotism. He was a kind friend, a brave soldier and a loyal soul. May he rest well.

Among the wounded and captured officers, mention has already been made of the escape of Captain A. R. Knott, by hiding while under guard, during the battle. Lieutenant C. H. Kurtz, being severely wounded in the foot, was also left on the field. Captain W. W. Smith of Co. G and Lieutenant Charles Davis of Co. A, both taken in the early morning, went into long and tedious captivity, from which Lieutenant Davis finally escaped at Danville, Va., the next February, reaching our lines after great privation and danger. Captains A. M. Loomis and E. H. Pound were both slightly wounded. Of the wounded men, many were severely hurt and never again rejoined their companies; while the fortune of those who were taken prisoners was, if possible, still more trying and unhappy.

As one of the incidents of the battle it might be mentioned that Colonel Wilds' horse escaped when his rider was shot and was unheard of for several weeks. He had, it transpired, received three wounds during the battle, one of which totally paralyzed his fly-disturber; and when finally discovered at Winchester in another command, there was some uncertainty in regard to his identity. This, however, was set at rest by procuring an interview between "Old Charley," the horse, and

ld John," the colored brother who had taken care of him. The recognition was mutual and so obvious as to set at rest any doubt that might have existed. Major Wright's horse also received three bullets, but although one of them passed clear through her neck, she carried her master throughout the day. The neck wound, by the way, proved an entire cure for a case of "moon eyes" of long standing, and Colonel Wright is now prepared to recommend shooting through the neck as a panacea for that ailment.

The news of the victory at Cedar Creek was received with great rejoicing throughout the country, and like that at Winchester was signalized by General Grant with a salute of one hundred shotted guns, fired into Petersburg. The President sent General Sheridan an autograph letter of warm congratulation, which was read to every regiment on the evening of Oct. 24, and received with most enthusiastic applause—the officers that rose from one command after another re-echoing from the environing mountains as a fantastic requiem to the many voiceless comrades who lay in shallow graves along the edge of the old camps, to which the several regiments had returned three days previously. The weather was unusually cold directly after the battle, especially at night, and no little suffering resulted; but this was largely mitigated by an issue of clothing and blankets on the 21st, the day the regiment returned to its former camp. Upon the 25th the regiment, in common with the entire brigade, received four months' pay—the entire payment being made, for some inscrutable reason, between five o'clock in the evening and daylight the next morning. Very soon after this the regiment was sent to Martinsburg as a train guard, thus giving the men an excellent and well improved opportunity to invest their newly acquired wealth in unaccustomed luxuries.

The succeeding three weeks were devoted to the not exceedingly desirable duty of guarding trains over the twenty odd miles of road subject to Mosby's raids, with alternate rests of one to three days at the front and Martinsburg. The notable incident during this time was *election*, which was held.

Nov. 8, near Martinsburg. Mr. John Mahin, of Muscatine, was the commissioner to take the votes of the three Iowa regiments in that army, and set up the ballot box for the 24th on the warm side of a huge boulder, where the writer had the privilege of casting his first vote for the great emancipator for President. No challenging was done; "old enough to fight, old enough to vote," seemed to be accepted, although there were those who acknowledged themselves minors and did not attempt voting. These could not have been many, however, as 303 votes were cast, out of which Lincoln received 285 and McClellan 18, more than half of the latter being cast by a single company.

Snow had already fallen and all became unpleasantly aware of a colder climate than had been before experienced during two years, when, on November 17, the order to prepare winter quarters was received with great enthusiasm. The camp was at once alive with busy workers, and on the 21st the pocket diary before referred to says: "The work of building winter quarters is practically done. The rows of neatly built and comfortable huts seem miracles considering the means at command. A hatchet and spade were all the tools used by the most favored; and with a few logs, slabs and boards, and dog tents for roofs, they made pretty good houses." General Sheridan, in orders, named this Camp Russell, after the brave cavalry officer killed in the final charge at Cedar Creek; and it was the home of the regiment for the remainder of the year and practically of its sojourn in the valley. Not much of interest attaches to this period. One of the mornings showed a snow-fall of fifteen inches, and it was quite refreshing to hear the cursory remarks with which the boys delved into it to find wood enough to boil coffee. Another day brought an exciting panorama, when a number of men from our own and adjoining infantry regiments went into a deserted cavalry camp less than a mile in our front and were caught there by a squad of Mosby's guerrillas. The chase, as seen from camp, was both serious and amusing. Two members of the 24th were captured but after being robbed and actually stripped of their clothing

re permitted to return, which they did quickly and gladly, but in a very destitute and demoralized condition.

On December 30th, Grover's division was taken out of the comfortable quarters at Camp Russell and sent to the terminus of the military railway, now in operation to within two or three miles of Winchester. The 24th Iowa, however, was excepted, being sent to the town itself for special duty at Post headquarters. This was considered quite an honor; and as Lieutenant-Colonel Wright (now properly mustered as such, with Captain Clark, Company E, as Major) was told at Sheridan's headquarters that this arrangement was permanent, the men went cheerfully at work to again construct winter quarters. In four or five days between ones than ever had sprung into existence—one "mess" with two or three bricklayers actually indulging in brick walls.

January 4, four fortunate officers of the regiment and 15 lucky men received the leaves and furloughs which authorized them to make the trip to Iowa; and it was with hungry, but no means unfriendly eyes that the rest of us stood about and saw them start. Next day, at 7:00 P. M., came orders to be ready to take the cars early on the morning of the 6th. And while the men of the 24th are busy securing the prescribed three days' rations, mourning over the sudden end of the dreams of easy life in winter quarters and speculating as to the possibilities of their unknown destination, we leave them to the present.

KE-O-KUCK.—A sale of lots in this village, and a portion of the farming lands within the surveyed part of the Half-Breed lands, will take place on Wednesday next. This place is situated on the west bank of the Mississippi, about 200 miles above St. Louis, immediately at the foot of the lower rapids, where, during the low stages of water, the steamboats land, and lighten their boats in order to pass over. The landing is inferior to none on the river—the back country is represented as being beautiful, well watered, and, as soon as the lands are divided and sold must become settled by hardy and industrious farmers.—*Iowa News, (Dubuque,) June 10, 1837.*

FIFTY-TWO YEARS IN IOWA.

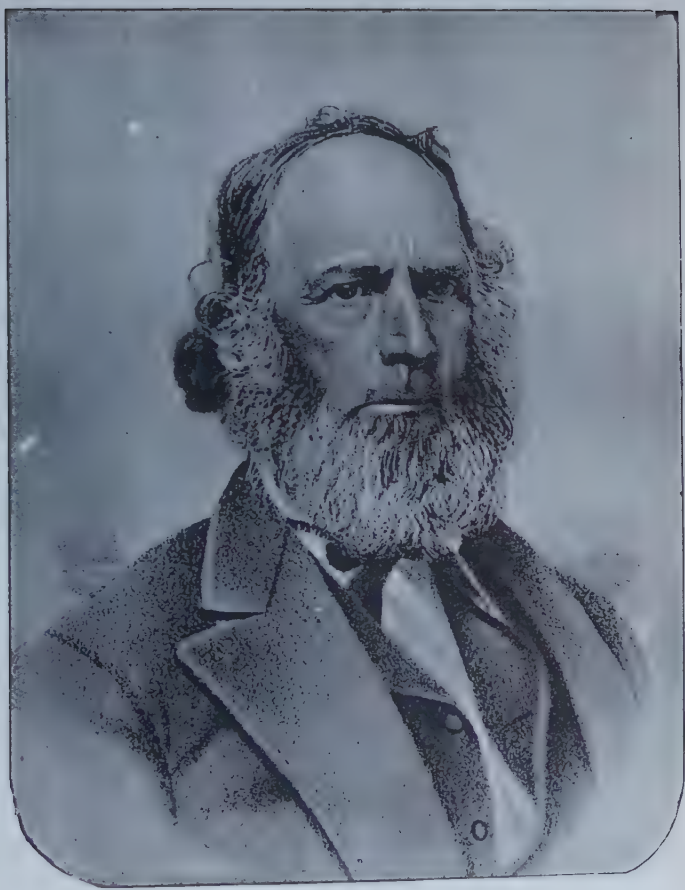
BY PROF. W. P. HOWE,

Late Member of Faculty of Mt. Pleasant, Iowa, High School and Female Seminary.

My father's first visit to the beautiful country lying west of the Mississippi was in 1839, at which time he crossed that river at Flint Hills (now Burlington), and made a very thorough examination of the territory. He was so delighted with the country that soon after the election of General Harrison to the presidency in 1840 he removed his family from Ohio to Iowa and located in Henry County, near Mt. Pleasant. He was well situated in Ohio; had established a flourishing and successful High School and Academy at Lancaster in that State, in which he had very thoroughly trained for active life the future General Sherman, and his eminent brother Hon. John Sherman, the distinguished Senator from Ohio, as well as a multitude of other ambitious young men who afterward filled honorable and illustrious careers; but he could not resist the fascinations presented by the new Eden beyond the great Father of Waters, and so at a great loss financially, and putting aside the most flattering prospects, he turned his face toward the western world.

My father was a very ardent Whig, and my last recollection of Ohio was that he took me with him to a monster Whig meeting at Newark, the county seat of Licking County, held in honor of General William Henry Harrison. I distinctly remember to this day the quaint log cabin, drawn by a long procession of oxen, the barrels of hard cider, the savory barbecue, the festive coon, the flags, banners and music, the eloquent speeches and the great tumultuous, enthusiastic multitude present on the scene in honor of their illustrious leader.

We made the removal from Ohio in two-horse wagons filled with the usual household furniture and utensils. Brother Harrison, at present and for fifteen years past the successful pri-



Your Father Samuel L. Howe



bal of the Carson City, Nevada, High Schools, was at that time a baby, and there was generally plenty of music at the head of the column. I distinctly remember the horrible corduroy roads across the Indiana swamps. Neither language nor imagination can do them justice, but, like the darkey doctor's medicine, they would either kill or cure.

The journey was some six or seven hundred miles, and occupied several weeks. Late in November, 1841, we located on the boundless prairie near Mt. Pleasant. Our first home in Iowa was on the Burlington trail, along which parties of Indians were continually passing to and from Flint Hills (now Burlington), either for their government annuities, food supplies, ammunition, trinkets, or "fire water." Our cabin was very small, situated in a sea of luxuriant prairie grass that rolled its green billows up to the very door. Its one little room was at once parlor, pantry, bedroom and kitchen, and a boisterous crowd of happy little children slept in a trundle-bed under the eaves. A hole in the ground about seven feet deep, unwallled and without the sign of a curb, was the only well. All the other domestic conveniences were equally limited and inadequate. Such was the situation that confronted my mother, who had been accustomed all her life to all the comforts and enjoyments, and even luxuries and refinements of a highly civilized and long settled state. But she faced the new life with brave and patient stoicism, and although she had many a quiet and sad shedding of tears over the desolation with which she was surrounded, and the separation from loved relatives and life-long friends in the East, yet the invincible spirit that animated the Spartan mothers hushed every heart-ache—put away every tear—overcame every obstacle. And this is true of every pioneer mother in Iowa to-day. May their memory ever be kept green and honored in the hearts of their countrymen, and the tributes of respect and loving gratitude be perennial and eternal.

For over two years all our cooking was done by an open fireplace. Such a thing as a stove was unheard of. Corn bread and pork, with rye coffee, formed the prairie bill of fare, with an occasional dish of mustard greens. But there was

an abundance of wild game—deer, wild turkeys, prairie chickens, quails, pheasants, etc., which afforded a very pleasant and delightful change. Indeed, the choicest beef of the present day couldn't begin to compare with the tender young venison of that early period,—so plentiful and tame that the young deer often browsed up to the very door.

In the summer time the snakes were so numerous that they passed to and fro through the house at all hours, and in due time one of the children was bitten by a rattlesnake, but fortunately recovered. This was Oscar, the oldest, now for more than thirty-five years honorably and successfully connected with the New York City Schools.

In the winter of 1841-2, my revered and honored father, the late Professor Samuel L. Howe, resumed school teaching in a log cabin set apart on his farm for that purpose. From this little prairie academy were graduated two men who afterwards filled important stations in human life. One of them, Horatio Spearman, was sheriff of Henry county continuously for seventeen years, and the other one, Jas. Spearman, his brother, a gallant Captain in the Union army, was desperately wounded in one of the many battles around Vicksburg, and finally died of his wounds,—one of those priceless offerings on the altar of patriotism with which Iowa's brow is gemmed with a glory brighter than burnished gold.

In 1843 father removed his school to Mt. Pleasant, then a village of log cabins, "few and far between." There being no other accommodations, it was located in the upper room of the old log jail. Hell leered through the grated openings below. Heaven looked with smiles of love and welcome through the barred windows above. Never before perhaps in human history was jail so dignified—so utterly transformed—so glorified. This jail deserves commemoration in history side by side with the famous Bedford street jail where the immortal Bunyan wrote the inspired allegory of the Pilgrim's Progress. Here in this little college jail room in Mt. Pleasant, Iowa, came the bright, ambitious lads and lassies of the "village of the plain." Wholesome in mind and body, and every whit as smart as

erited as the peerless Iowa children of to-day. I remember at there were several boys from the country in attendance, and that they generally stood at the head of their classes, though some of them lived three or four miles away. Nearly every day father would give the school a brief lecture, and always end up with the forcible expression, "What! are you always going to let these country boys beat you? And they with so much work at home, and then coming so far to school? You ought to be ashamed of yourselves!" But, philosophize as we may, country boys have always led the procession. The foremost names in history, in every department, belong to that illustrious array of mighty spirits who began their human destiny on the farm.

From this school in the old jail was graduated one of the foremost merchants of Mt. Pleasant to-day,—a man estimated to be worth over one hundred thousand dollars, and one of our leading and most public-spirited citizens. Also another noble youth left this jail academy who afterwards became Governor of Nebraska and a member of the United States Senate.

In 1844 the school was temporarily removed to the Cumberland Presbyterian Church, now the residence of Dr. Wellington Bird, and toward the close of 1845 it was transferred into the Academy Building specially erected for its permanent home, where it has ever since remained, having an unbroken record of over fifty years of continuous existence, making it unquestionably the oldest continuously operating institution of learning in the State. During this long eventful period this noble institution has sent out to bless the world thousands of noble-souled, earnest young men and women into all departments of human life. The present principal, Professor Seward Curtis Howe, ever since he took charge, has gradually maintained the reputation of the school and kept it fully abreast of the demands of modern times.

In this connection it is only just and proper to say that some of Iowa's most distinguished citizens laid strong and solid foundations for useful life work in this school, among whom the Judges Tracy and Browning of Burlington, Judge Sampson,

Judge L. G. Palmer, Judge W. I. Babb, Hon. Jno. S. Woolson, U. S. Circuit Judge, Hon. B. J. Hall, Hon. John Van Valkenburg, Judge A. H. Bereman, Major Thos. A. Bereman, Hon. Edwin Vancise, Hon. Alvin Saunders, ex-Governor and ex-U. S. Senator of Nebraska, and a long array of other equally distinguished names. Judge J. C. Hall and Judge David Rorer of Burlington, life-long supporters of the school, were among my father's warmest personal friends, though their politics were as wide apart as the poles.

After the destruction of the Whig party my father became a free soiler, though in Henry County he was quite alone in the grand and noble advocacy of "free soil, free speech, free labor and free men." At a very early period his house was a station on the "underground railroad" (the first one north of Salem) and many a poor colored man, woman and child did he help on their way from slavery to freedom,—bidding them Go speed, not with loving and encouraging words alone, but also with transportation, money, food and clothing. But as a free soiler and abolitionist he was bitterly hated, and had to endure the wickedest persecution. But he was every whit a hero,—hero fit to be named with classic martyrs of the past. His property was destroyed, his stock stolen, emissaries were sent to take his life, and finally he was brutally mobbed by the pro-slavery ruffians in the streets of Mt. Pleasant. I have heard my venerable mother, now 84 years old, often say that she expected to see him brought home dead almost any day,—a victim of the deadly malice of the pro-slavery men. But my father was a man of the most heroic and fearless courage—one of God's grand, great-hearted noblemen. He defied persecution, hatred, loss of property, social ostracism and even dared death itself in defense of those immortal principles that afterwards became the chief corner-stone of the great National Republican Party.

In 1848 he became a stockholder in the only abolition, free soil paper then published in the Northwest. The paper was called *The Iowa Freeman*, and was published by Alanson Clair at Ft. Madison. D. M. Kelsey was its first editor. In 1849 the paper was removed to Mt. Pleasant, Henry County.

is State, where my father finally bought it and published it, under different names, for more than ten years. During the exciting presidential campaign of 1856 it was one of the most powerful and influential advocates of the principles of Republicanism in the State, and even now national distinction in the great political battlefield of the Union. My father lost nearly ten thousand dollars in this heroic newspaper work, as he had already sacrificed thousands of dollars before; but he never regretted all this marvellous self-sacrifice and toil, for he lived to see his life-long principles at last triumphant and crystallized in the platform of the grandest and greatest political organization of modern times.

I presume that no man—no newspaper—did more effective work for the election of Governor Grimes, Iowa's first Republican Governor, than did my father,—for not only did his newspaper exercise a powerful influence in every portion of the State, but he also made a personal canvass of the same, and delivered ringing and eloquent Republican speeches in every large city and town.

In the momentous conflict in Kansas between the Free State men and the Border Ruffians, covering the period from 1855 to 1859, two of my father's sons, at the most critical period of the contest, stood side by side with the heroic John Brown in the great preliminary struggle between freedom and slavery just preceding the civil war, and the old hero of Osatomie and Hickory Point never had more devoted defenders. When the civil war broke out, my father sent three sons and two sons-in-law to the Union armies, and from the 15th day of April, 1861, to the 21st day of July, 1865, there was always a member of the Howe family in the service maintaining the honor of the old flag and the integrity of the nation. To the day of my father's death this fact sweetened every hour of the beloved hero's existence, and invested his life with a halo of happiness.

But I must bring these reminiscences to an end, leaving untold very many interesting events for lack of room. My mother, now in her eighty-fourth year, and myself, are the only

two members of the family who have lived in Iowa over fifty-two years. We feel very proud that, under God, we have been permitted this great honor. It is certainly an experience well calculated to fill any honest heart with just pride and satisfaction.

As I draw to a close suffer me to say that no imagination can form an adequate idea of the beauty and grandeur of the Iowa Eden as it existed in the early territorial settlement. It was one vast ocean of billowy plain, gorgeous with flowery beauty—vocal with harmonies of life and landscape almost divine. The soul gazed in wonder on a scene more brilliant than the Field of the Cloth of Gold,—more beautiful than the vales of Valambrosa,—more enchanting than dreams of Araby the Blest. The warble of bird—the hum of bee—swelled the sweet chorus of the great hymn of nature. Beautiful groves here and there dotted the emerald landscape with the glory of God's first temples. Everywhere, all around, in limitless and unequalled grandeur and loveliness, swept away one vast, magnificent pastoral. Here, amidst this wealth of beauty and glory, might have been written the Odes of Horace—the Georgics of Virgil—the tender lyrics of Burns—the majestic measures of Scott. Herds of deer fearlessly roamed the vast verdant plains, and the wild turkey, the pheasant and the whistling quail swarmed in countless numbers in its secluded woodlands or along its pellucid streams, and the call of the pinnated grouse from the flower-crowned prairies fell on the ear with a melody pure, joyous and never to be forgotten. The picturesque Indian, solitary and reserved, still lined its romantic rivers with his wigwams, and chanted his legendary hymns from the bosom of its peaceful vales.

All this has passed away forever. Fifty years have wrought a wondrous and a mighty transformation. Iowa is the miracle of the ages. From her primeval wilderness has been carved out the most wonderful commonwealth of the Union—the brightest star in our proud galaxy of States. Truly peerless empire,—Christian, enlightened, progressive. A honor to that noble band of pioneers who dared the danger

and privations of the wilderness that they might build for future generations this mighty State. Many are dead,—have passed away to “that silent bourne from whence no traveler returns.” But few remain. All too soon shall we see these venerable heroes no more forever. May they ever be crowned with the love and honor of a grateful people. To have been a pioneer in the upbuilding of such a peerless and majestic State as ours—representative of all that is noblest and best in modern civilization—is a crown of honor to any man or any woman, and may well entitle every venerated old settler of Iowa to the love and gratitude of mankind.

God bless those dauntless heroes,
The West's brave pioneers—
All honor to their courage,
To their memory our tears.
They bore the toil and hardship,
They gave their noblest powers
To build in matchless beauty
This glorious State of ours.
God help us guard the treasures
Committed to our trust,
And may angels keep their vigil
Above their sacred dust;
High on the roll of glory
Will their peerless names be seen,
And love,—in song and story,—
Will keep their memory green.

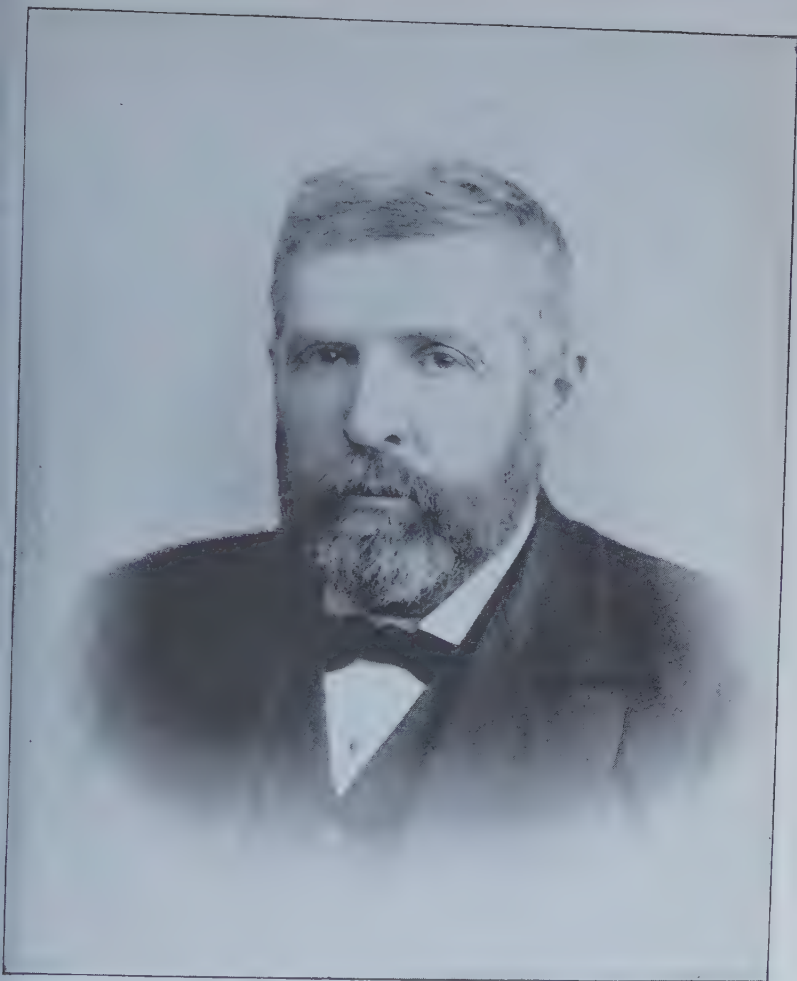
Pleasant, Iowa, October 18, 1894.

ANNALS OF IOWA.

EDITORIAL DEPARTMENT.

GRIMES—CARPENTER.

The leading article of this number of THE ANNALS is a very able, carefully-written study of the character and life-work of James W. Grimes—a man to whom history will assign a place in the front rank of American Statesmen—from the pen of Cyrus C. Carpenter, one of his successors as Governor of Iowa, who knew him intimately and well for many years. Gov. Carpenter writes with full knowledge of the subject, and in sincere appreciation of the man who was in a larger sense his mentor, at his own entrance into public life. The article is a valuable one. It is a rare thing in the history of States, that any man has such a hold upon the masses of the people as Gov. Grimes possessed in the winter of 1857-8. The great issue raised by the slave power was before the country and he had fought it to the death so far as Iowa was concerned—in some of the most memorable and remarkable canvasses that ever took place west of the Mississippi. Mr. Carpenter had been chosen to the Iowa House of Representatives in the autumn of 1857, by a district composed of 19 counties in the northwestern corner of our State. This was the beginning of his long and honored public career. The writer at that time published the only paper in that great district which supported Carpenter—his competitor being John F. Duncombe, who has since risen to distinction as a leader in the Democratic party. This pioneer contest was conducted with energy and determination on both sides. It resulted in Carpenter's election by the small majority of not far from 125. The names before the voters for United States Senator were those of Gov. James W. Grimes, and Gen. Geo. W. Jones.



Yours very truly
Leymus C. Carpenter



then incumbent of the position. The newspaper referred to—THE FREEMAN, of Webster City—supported Grimes. Prior to the last session of the State Legislature in Iowa, which made the division, Webster County included the present county of Hamilton within its borders, as is shown by the old maps. At a previous election Webster County had voted to issue \$100,000 in bonds to aid in building a railroad, and it was reported that an effort would be made at the session of 1858 to apportion this sum between the two counties on a proposition peculiarly distasteful to the people of Hamilton. The writer called the attention of Gov. Grimes to this matter, asking his aid in defeating the measure. The Governor replied in the following hitherto unpublished letter, which possesses much interest when read in connection with Gov. Carpenter's article :

DES MOINES, JAN. 29, 1858.

Dear Sir:

Your favor of the 15th inst. came duly to hand.

I have thus far watched the proceedings of the Genl. Assembly, but up to this time no bill to legalize the issue of bonds by either Webster or Hamilton Counties has been introduced. No such bill even if enacted into a law would be of any avail. If the issue would be illegal without the law, it would be illegal with it. This question has just been decided by the Supreme Court in a case brought up from Webster County. By reference to the acts of last session you will see that a law was passed to legalize the issue of bonds by Lee and Davis Counties. I believed the law valueless and refused to sign it, but allowed it to take effect by retaining it in my hands three days. The question came up upon the validity of this legalization and it was held by the full bench to be wholly worthless. I shall put some of our friends on their guard against such a measure if presented, though if passed, it cannot result to your disadvantage.

I suppose you have learned the result of the Senatorial election. I wish to thank you most sincerely for the kind expressions contained in your letter, and in the Freeman, in relation to me personally, and I trust an opportunity at no distant time will be presented when I can in some degree reciprocate your kindness. I am pleased to be able to say that your representative, Mr. Carpenter, occupies a very high position in the House and is an honor to his constituents.

I am, very truly, your friend,

JAMES W. GRIMES.

Charles Aldrich, Esq., Webster City, Iowa.

REMOVING THE BATTLE FLAGS.

Most of the States—even those of the South—long ago placed the flags borne by their military organizations, during the war for the Union, in safe and permanent quarters. But those of Iowa had hung in the old Adjutant-General's office, in Des Moines, with very slight protection, subject to the influences of decay and gradually dropping to pieces. This neglect was occasionally mentioned, but no movement for their protection was ever initiated until the winter of 1892, when Hon. A. J. Chantry, of Mills County, introduced "Senate File No. 374, a bill for an act for the better protection of the colors, standards and battle-flags, carried by Iowa regiments and batteries in the war of the rebellion." This bill, which became a law, referred the matter to the Adjutant-General and Curator of Historical Collections, and appropriated the sum of \$3,000 to defray the expense of procuring the necessary cases and arranging the flags. There were many delays, owing to the illness and absence of Adjutant-General Greene, who had the matter principally in charge; but after he was able to visit several other States and study the disposition which had been made of their flags, plans were prepared which met the approval of the Executive Council, resulting in the construction of two compact and most beautiful cases—one on each side of the entrance to the State Library. Upon the completion of this work, there seemed to be a unanimous feeling among the surviving soldiers of this State in favor of making the transfer of flags to the capitol building an affair of ceremony, in which all who marched under them should be invited to participate. This feeling was also universal among our people generally. In deference to this unmistakable public sentiment Gov. Frank D. Jackson on the 28th of June issued his proclamation naming the 10th day of August, 1894, "as an appropriate day for the transfer of the battle-flags from the State Arsenal to the capitol building; recommending that this day "be known and referred to as Battle Flag Day, and that it be observed as a public holiday.

secrated to the memory of the patriotism and valor of
ra's soldiers, living and dead."

The matter was then taken in hand by the committee of
ngements, who issued an "official announcement for
tle Flag Day."

The details of the parade and exercises are too lengthy to be
roduced in these pages, but may be found in the newspapers
he 10th and 11th days of August. We also understand
there is a probability that the proceedings of the day with
its incidents before and afterwards, will be officially pub-
ed in a neat memorial volume accessible to all. The
utant General of the State estimated that there were 3500
000 Iowa Soldiers of 1861-65 in the city, all of whom who
e able to walk were eager to join in this last march in honor
hese precious old flags under which so many of their comrades
died. The day was very hot, and some vexatious delays
urred in the formation of the parade, but the occasion as a
le was a magnificent success, only surpassed, perhaps, in
rest and importance by the great gathering of 20,000
a soldiers at Des Moines in 1870.

The flags having been delivered to the representatives of the
ous regiments by Lt. Gov. W. S. Dungan, the procession
ched to the Capitol, where the exercises were as follows:

Call to order by Gen. J. W. Noble, late Sec'y of the Interior, presiding officer.
Music, by the Des Moines Union Band.
Invocation, Rev. A. V. Kendrick.
Original Poem, Major S. H. M. Byers.
Address, "Returning the Flags to the State," Major John F. Lacy.
Response by Governor Frank D. Jackson.
Martial Music, Carper's Drum Corps.
Song, "Star Spangled Banner," Mrs. Jessie Cheek.

The following is an official list of the flags carried by Iowa
iments during the War of the Rebellion, and borne by the
soldiers to the Capitol building:

ARM OF SERVICE.	National.	Banners.	Guidons.
CAVALRY.			
regiment.....	1		
nd regiment.....			4
regiment.....	2		2

Fourth regiment.....	I	
Fifth regiment.....		I
Seventh regiment.....		I
Eighth regiment.....		

ARTILLERY.

First battery.....		2
Second battery.....	I	
Fourth battery.....	I	I

INFANTRY.

First regiment.....	I	
Second regiment.....	4	2
Third regiment.....	3	
Fourth regiment.....		2
Fifth regiment.....	I	2
Sixth regiment.....	2	I
Seventh regiment.....	2	I
Eighth regiment.....	2	2
Ninth regiment.....	2	2
Tenth regiment.....		2
Eleventh regiment.....	2	I
Twelfth regiment.....	I	2
Thirteenth regiment.....	I	
Fourteenth regiment.....	I	I
Fifteenth regiment.....	4	3
Sixteenth regiment.....	2	2
Seventeenth regiment.....	3	2
Eighteenth regiment.....	I	2
Nineteenth regiment.....	I	2
Twentieth regiment.....	I	2
Twenty-first regiment.....	I	I
Twenty-second regiment.....	2	2
Twenty-third regiment.....	I	I
Twenty-fourth regiment.....	I	
Twenty-fifth regiment.....	2	3
Twenty-sixth regiment.....	2	I
Twenty-seventh regiment.....	I	2
Twenty-eighth regiment.....	2	2
Twenty-ninth regiment.....		I
Thirtieth regiment.....	2	
Thirty first regiment.....	2	2
Thirty-second regiment.....	I	
Thirty-third regiment.....	I	I
Thirty-fourth regiment.....	2	I
Thirty-fifth regiment.....	2	2
Thirty-sixth regiment.....		2
Thirty-eighth regiment.....	I	
Thirty-ninth regiment.....	2	I
Fortieth regiment.....	I	
Unknown.....		I

COLORED TROOPS.

First infantry (60th U. S. Vol. A. D.).....	I	
Total.....	67	59

THE WASTE IN PRIVATE HANDS.

Since the organization of the Historical Department we often had occasion to learn how soon and how sadly the precious books, documents and other memoranda, are lost or destroyed, when retained in private hands. True, there are private collectors, and occasionally other private persons, who carefully preserve whatever comes into their possession; these are only exceptions to the general rule. Losses occur by accident, neglect, fires—in fact, in numerous ways. The life of these objects are within very short periods, utterly cut out. This is really the order of nature. Thoreau, the naturalist of New England, deemed it a wholesome thing that houses should be burned with their contents, once about every so many years, in order that there should not be too great accumulations of what he considered mere rubbish! Looking to periods somewhat longer than we have in consultation at this time, Dr. Holmes sets forth in "The One-Shay," that:

"Little of all we value here

Wakes on the morn of its hundredth year."

What has most annoyed the writer of this item is simply that it has become so very difficult to procure certain early documents, implements, utensils in use fifty years ago, or specimens of fire-arms with which our early settlers defended game and drove back the Indians. Up to this time we have not been able to secure one of the guns carried in the Lake Expedition of 1857. We can easily recall the time when flint-lock muskets, which came down from the Revolutionary War, or the War of 1812, were quite plenty in almost every neighborhood. They were always certain to be brought out in western New York at the Company and "General Trainings" of the "barefoot militia." But they are now to be met with in museums. So of scores of articles which would at this time be veritable *curios*, as showing the arms and handicrafts of our fathers. One of our old-time

Iowa physician's—Hon. S. G. Matson, of Linn County, who still happily survives, and to some extent practices his profession—has sent to the Historical Department, not only a great deal in the way of precious early literature, but the antiquated “pill-bags,” surgical instruments and portmanteaus, which he used half a century ago. But where an individual is thus careful to preserve such objects, one might search the whole State over and not find another.

The plain deduction from all this is, that if the reader happens to own valuable books, documents, autograph letters, manuscripts, or other objects of historical or archaeological value, the best disposition that can be made of them is to place them in some public collection where the building is fire-proof and where systematic care will be taken of its contents. In our efforts to obtain early Iowa newspapers we often hear that such and such files have been lost in fires. Several Iowa journalists have freely presented their files to the Historical Department, because of this constant danger of fires. In our beautiful capitol all such objects are not only well cared for, in danger from dampness, the ravages of insects or fires, but are always accessible to the public. If one does not feel like surrendering the ownership of such articles, they may be loaned to the State. It is a well-known fact that some of the finest museums in the country are largely made up of loan collections. Even the great National Museum at Washington, exhibits and cares for hundreds of objects thus loaned to it. The best thought upon this topic is doubtless this: That as a general rule these loans are seldom called for. The practice, however, is an excellent one, for the people are benefited, the objects are always preserved and may be repossessed if necessary.

NOTABLE DEATHS.

GOVERNOR SAMUEL J. KIRKWOOD died at his home in Iowa City, on the day of September. He was close upon 81 years of age, and nearly half of was a citizen of Iowa. He was a native of Maryland, was educated in of Washington, and for several years was a clerk in a drug store at the Capital. He taught school in York County, Pennsylvania, for some time, 1835 accompanied his father and family to Richland County, Ohio, and as in clearing up a farm in the heavy woods which then covered a large por of that State. Tiring of the hard labor and privations of farm life in a new ry, he decided in 1841 to study law, entering the office of Judge Bartley, at field. He was admitted to the bar in 1843, and in 1845 was elected on the ocratic ticket, Prosecuting Attorney for the county, in which position he d with ability for four years. In 1850 he was chosen a delegate to the con- on which framed the present Constitution of Ohio, and took an active part in liberations. In 1855 he removed to this State, and settled on a farm near City, where he acquired an interest in a large flouring-mill on the Iowa. But he did not remain long in private life. The great uprising of the ican people against the extension of human slavery into our new Territories hen at its height, and a breaking off from former party affiliations was ing the old leaders of the Whigs and Democrats. The Republican party a process of formation, made up of men who were determined to resist the sions of slavery. A call had been issued on the 3d of January, 1856, for a Convention to meet at Iowa City, on the 22d of February, to organize a Re- can party in Iowa. Samuel J. Kirkwood was chosen a delegate from John- ounty to that convention. In the evening after its work had been accom- d, an enthusiastic session was held, in which several stirring speeches were by delegates who afterwards became famous in State and National history. g these was Mr. Kirkwood. His was among the most impressive speeches at historic gathering, and from that day he became one of the trusted leaders ounselors of the new party. At the next election he was chosen State Sen- from Johnson County, serving four years with marked ability. He was one of thors of the State banking law enacted by the first session of the Legislature the adoption of the Constitution of 1857, which first authorized bank- Iowa. At the close of his term he was nominated by the Republicans for rnor and elected over Gen. A. C. Dodge, his Democratic opponent, by 3,200 ity. His administration of the State Government for four years has never equaled, and he has passed into history as Iowa's "Great War Governor." s under his administration that the forty-nine regiments of Iowa volunteer were raised, officered and equipped, which did such honor to the State in ar of the Rebellion. Before the expiration of his term as Governor, Mr. wood was appointed by President Lincoln, Minister to Denmark, but declined osition. In 1866 he was chosen United States Senator to succeed James n, who had accepted a seat in the Cabinet. In 1875 he was again elected rnor and before the expiration of his term, was chosen United States Senator t years. Before this term expired, he was invited into Garfield's Cabinet as ary of the Interior, where he remained until after the tragic death of the lent. He was now well advanced in years and retired to his pleasant home va City, where for the last ten years of his life he enjoyed freedom from pub- ponsibilities and the profound respect of his fellow citizens. His private as pure, plain and unostentatious, as his whole public career was patriotic nselfish. He was actuated by the single inspiration of the public good. In hole galaxy of Iowa's eminent public men, it is truth to say, that none ever warmer place in the affections of her people, or stood higher in their con- e and admiration. It is our hope, in some future number of THE ANNALS, sent a more elaborate study of his life and public services, with several illustra-

HON. THOMAS MITCHELL died at his home, in Mitchellville, on the 15th of July, 1894. He was born in Claremont, New Hampshire, March 3, 1816. His father died when he was but 16 years of age, and being left without a home, he hired out as a farm laborer. His education was limited to very moderate attendance at the country district schools. He came West in the fall of 1839, working awhile upon a farm near St. Charles, Missouri. In March, 1840, he came to Iowa, stopping at Keosauqua, where he again went to work. During that year he bought a "claim" in Jefferson county. In 1841 he was united in marriage with Elmira Swift, of Thedford, Vermont. In 1844 Mr. Mitchell removed to Polk County, and built a log cabin near Camp Creek, in which he entertained travelers. This was the first house built in the county outside of Fort Des Moines. In 1846 he entered 1,080 acres of land, in what is now Beaver township. Mr. Mitchell was present when the treaty was made with the Indians occupying the part of the country, by which they sold their lands to the General Government. In 1846 he was elected Sheriff of the county. In 1857 he was elected Representative in the Legislature, serving in the first General Assembly in Des Moines where the new capital had been established and a State House erected the year before. In 1867 Mr. Mitchell founded the town of Mitchellville, and as long as he lived no saloon was ever permitted to exist in that thriving village. In 1871 he was elected to the State Senate, serving four years. He was largely instrumental in procuring the establishment of the "Girls' Industrial School" at Mitchellville. He was a prominent and influential member of the Universalist denomination during his whole mature life. Major E. H. Conger said of Thomas Mitchell that "for fifty years he had been the counselor of the leading men of the State. He had all this time a voice in the affairs of the State, for his advice was always sought. His influence over men was wonderful, and it was great because he never betrayed it. He gave to all good purposes; his life was one continuous charity, one continuous effort to do good. The poor were never sent away, as the weak never asked in vain from him." Prof. C. C. Cory said of him: "Poor in lands and money, but in all other respects the richest man that ever died in Iowa. In all that makes true riches, he was most rich. He bore a good name and won the respect and love of his fellow-men."

THOMAS S. WRIGHT, eldest son of Hon. George G. Wright, died in New York from fracture of his skull by a fall, on the 26th of July. He was born in Keosauqua in 1845, and spent his boyhood in Van Buren County, finishing his school education at the State University. He enlisted in the Third Iowa Cavalry in March, 1864, and in November was promoted to Adjutant. In December of the same year he was made a prisoner near Memphis, and sent to Andersonville, where he suffered all the horrors of that infamous pen until the next spring. He never recovered from the effects of the inhuman treatment to which he was subjected, and to the end of his life patiently endured the broken health which many of the survivors of that den of horrors must carry to their graves. After the war he took the law course in the State University. He entered upon the practice of his profession in Des Moines, as a partner of the late T. F. Withrow. He became an eminent lawyer, and upon the death of Mr. Withrow was appointed general counsel for the Rock Island Railroad Company, removing to Chicago where he resided at the time of his lamented death. He made a brilliant record as a soldier, he was a profound lawyer, but he was most prized, by those who knew him best, for his fine personal and social qualities.

THOMAS LYMAN, who resided in an early day at Maquoketa, Jackson County, Iowa, died at his residence in Downer's Grove, Illinois, on the 6th day of July, the age of 70 years. He was born in Vernon, Oneida County, N. Y., March 18, 1824, the son of Rev. Orange Lyman, who came West in 1839, and settled upon government land near Downer's Grove. When the family arrived at Chicago the total number of houses was but 450. In the winter of 1838-9 Thomas attended

at Fort Dearborn, returning in the spring to his father's farm where he resided until 1843. He then went to Grandville, Mich., where he worked as a farmer in a store until 1847. On Dec. 3 of that year he was married to Miss Eliza A. Clark, of Andover, O., who survives him. He and his brother, Stephen Lyman, were engaged for two or three years in merchandising at Rockton, Ill. In 1851 he settled in Maquoketa, where he started a general store, continuing in business until 1857, when he returned to Chicago. Ten years later he settled in the beautiful village of Downer's Grove, which was his home until his death. He was largely engaged in the real estate business, and was almost continuously a landowner in Iowa. One of the most interesting episodes in Mr. Lyman's life was his dealing with old John Brown while the latter was aiding slaves to escape from Southern bondage. Brown had several closely covered wagons, each of which carried fugitive slaves on their way to the land of freedom. Mr. Lyman was once overhauled and overtook the strange cavalcade several miles west of Des Moines. He saw at a glance that the members of the party were well armed, and ready to defend themselves. A conversation at once sprang up between him and John Brown, from which the latter soon learned that he had nothing to fear from Mr. Lyman, who was a strong anti-slavery man. Four or five miles west of Des Moines Brown turned off southward, crossing the Raccoon and Des Moines rivers at a place where there was less likelihood of meeting spies or U. S. Marshals than on the direct route. An account of this affair was published in the *Des Moines Register* several years ago. Mr. Lyman was a born sportsman, and in the old days when birds were plenty, came every year to Iowa during the shooting season. He was an able, far-seeing business man, a most genial, estimable gentleman, highly intelligent, and a lover of books and work of arts. He was a noted breeder of prize cattle, and had kept a fine herd of these beautiful animals many years. He had made for himself an ideal home at Downer's Grove, distinguished for refinement, old-fashioned courtesy and generous hospitality.

DR. CHARLES L. CHAMBERS died at his home, in Cedar Rapids, on the 5th day of August, at the age of 76. He was born in Staunton, Virginia, in 1818. He was educated as a physician and settled at Muscatine, Iowa, in 1847. He practiced his profession in Tipton, Cedar County, for about thirty years, attaining high rank as a physician and surgeon. Upon the organization of the 35th Iowa Infantry, of which Judge Rothrock was Lieutenant Colonel, Dr. Chambers was commissioned Surgeon. He remained in the service until after the surrender of Vicksburg, when impaired health compelled him to resign. He spent the last few years of his life at Cedar Rapids. He was highly esteemed by a wide circle of friends and acquaintances in eastern Iowa.

EDWARD M. CROW, who died in Linn County, on the 28th of July, was the first settler in that county. He was born in Orange County, Indiana, in 1816. He came to Iowa in 1837, and made a claim near where the village of Viola now stands. Nov. 14, 1839, he married Miss Elizabeth Bennett, who was the first school teacher in Linn county. Mr. Crow was a good citizen and a prominent and very successful farmer. He endured all the privations and hardships inseparable from pioneer life, and made of his old homestead one of the most attractive places in that county.

DR. WILLIAM R. SMITH, of Sioux City, died at his home on the 1st of July. He was born in Ocean County, N. J., December 30, 1828. He studied medicine and attended lectures in New York City, at the old College of Physicians and Surgeons, and first began practice at Macon, Mich. In 1856 he came to Iowa, settling at Sioux City, where he practiced medicine for eleven years. In 1861, when there were Indian troubles on the frontier, a volunteer company of mounted

riflemen was raised to protect the settlers, of which Dr. Smith was chosen First Lieutenant. In 1862, when the terrible Sioux massacres desolated Western Minnesota, Dr. Smith was chosen chairman of a vigilance committee organized to protect Sioux City and vicinity. In the winter of 1863, he was commissioned by Governor Kirkwood to visit the Iowa soldiers in the field and hospitals and inspect their sanitary condition. He visited those in Grant's army at Vicksburg, and was instrumental in doing much for their comfort. In 1863 he was appointed Surgeon of the Board of Enrollment, serving in that capacity during the draft of 1864. In 1865 he was appointed Receiver of the U. S. Land Office for the Sioux City district, and served with fidelity until the office was removed to Des Moines. In 1870 He was one of the incorporators of the First National Bank of Sioux City, and also of the Sioux City & Pembina Railroad Company. In 1878 he was appointed by Governor Gear one of the Commissioners to the Paris Exposition, and while absent made a tour of Europe. Dr. Smith was a prominent Unitarian, helped organize and build Unity church at Sioux City, and was for many years president of the board of trustees. Few men in northwestern Iowa were as widely known and none more highly esteemed by all classes of citizens. For nearly forty years he had been prominent in all good works for the development of that part of the State, and the building up of the flourishing city where he spent his days.

COLONEL RICHARD K. MILLER died at his home in Des Moines on the 27th day of August. He was born in Indiana in 1838, and came to Iowa in 1860 settling in Polk county. He first enlisted in the State service in 1861, in an expedition fitted out to protect the frontier. In March, 1862, he joined Company I, 1st Infantry, serving until he was disabled by an injury to his eyes, when he returned to his old home in Indiana. There he was appointed Captain of Company I, of the 128th Indiana Volunteers. He afterwards served as Colonel of his regiment. At the close of the war he returned to Des Moines and was elected Treasurer of Polk County, serving two terms with ability and fidelity. Marching with the old soldiers on "Battle Flag Day," he was prostrated by the terrible heat, from the effects of which he died a few days later. He was widely known and universally esteemed.

DR. MYRON UNDERWOOD, of Hardin County, died suddenly of heart disease at his home in Eldora, on the 12th of August. He was born at Montville, Ohio, August 7, 1833, and was a graduate of Rush Medical College. He came to Iowa in 1854, settling at Steamboat Rock. The next year he removed to Eldora, where he practiced his profession up to the time of his death. He was Assistant Surgeon of the 12th Iowa Infantry during the War of the Rebellion. In 1886 he was elected to the State Senate, ably representing the district which comprised the counties of Hardin and Grundy. He was a public-spirited citizen, whose life has been eminently useful, and his name will long be borne in kindly remembrance.

JAMES BROWNLIE, who recently died at his home in Long Grove, Scott county, was one of the early pioneers of that part of Iowa. He was born in Scotland in 1807, and in 1838 came to Iowa which had just been organized as a Territory. He selected a claim at Long Grove where he made a pleasant home which he occupied to the day of his death. It was at his place that the notable picnic was held July 4, 1845, at which nearly everybody in that county had assembled to celebrate the day, when Col. Davenport was murdered at his house on Rock Island by the Fox and Hodges gang of desperadoes. Mr. Brownlie was known by all the old residents of that section of the State and highly esteemed.

probability. I think it would be bad policy to name McCarthy in the connection as in any way connected with the Whig interest. I suffer very much from pain in my breast when writing, and a letter the length of this, requires an effort. I shall expect you after the convention is over, to hope to hear from you after its adjournment, if anything occurs that you deem worth communicating. Hawk's nomination for congress won't do at all. Tell me why when we meet.

Yours truly,

JOHN CHAMBERS."

The foregoing letters of Governor Chambers portray his character, particularly as a politician, more vividly than anything I can write. They show that he was an intense Whig and a bitter partisan. In the campaign which resulted in the election of Mr. Polk to the Presidency, three important questions were discussed before the people. These were the threatened war with Mexico; the Oregon boundary; and the subject of the Tariff; and to all these proposed measures the Whig party was bitterly opposed. While the official position of Governor Chambers, as well as his health, prevented him from taking an active part in the contest, he was none the less deeply interested; and when the result secured the election of Polk, he conscientiously believed the country was threatened with a serious danger—hence the prediction he made in his letter of the 17th of August, 1846. Contrary to his own expectations, he was spared to see those predictions realized, in the measure, and to witness the change in the minds of the people that he never supposed that he would be able to see. But while Governor Chambers was bitter as a partisan, and made political enemies, the hostility was entirely political, and not personal. He was courteous and affable, and so kindhearted, that persons could not have intercourse with him, without feeling for him a certain regard and affection. He was a Kentucky gentleman of the old school, and indulged in the hospitality for which that state was famous. As illustrating this phase of his character, I may mention a circumstance that occurred between him and ex-Governor and later elect John H. Gear, and I trust the latter will pardon me for mentioning it, without his permission. It seems that when a boy, Gear carried certain dispatches from the Indian.

Agency to the Governor. His boyish appearance attracted the Governor's attention, and after some conversation, as was the custom in those days, he invited Gear to take a drink, to which the latter assented, and the bottle and glasses were produced. In those days, the Germans had not yet invaded Iowa and beer was not in general use; the people were too poor to purchase and drink wine; prohibition had not then been invented as a panacea for the evils of intemperance; and whiskey was the common drink—and it was corn-juice at that. But the Governor's whiskey came from Kentucky, and was the genuine old Bourbon, and Gear informed me that it was the first whiskey he ever drank—but he did not say it was the last. While Governor Chambers used stimulants in a moderate degree, I never saw him under the influence of liquor, and he did not present the appearance of a person who had ever indulged to excess.

In 1846, the State Constitution was adopted, and in 1847 Iowa was admitted to the galaxy of States. In the State elections of that year, 1846, the Democrats were successful and the Whigs had but little hope for the future. But, in the national elections of 1848, the Whigs were triumphant, and Gen. Zachary Taylor, one of the leaders of the Mexican War, in which the Democrats had inaugurated, was chosen President. After the election of Taylor, I have no letters in my possession from Gov. Chambers, till 1850, but I believe our correspondence was continued. But he continued to reside in Iowa and in 1849 was appointed by the Taylor administration a commissioner to negotiate a treaty with the Sioux Indians, in which he was successful. This was the last official position he ever held. I come now to the last letter I ever received from Gov. Chambers, which is entirely personal in character but which exhibits his kindness of heart. While the letter appears to have been written at Hudson City—a town which I have no recollection—it was mailed at West Liberty, a village midway between Muscatine and Iowa City; it shows that the Governor was still in Iowa, and preparing to make his home in that neighborhood. Why he abandoned his place

r Burlington, I am unable to say. This letter is as follows :

“HUDSON CITY, August 7th, 1850.

My Dear Sir:—I received your kind note some two or three days since. It been my intention for some time past to visit Iowa City. Professional duties prevented me from doing so. There has been considerable disease in the neighborhood since I had the pleasure of seeing you, and all my time has been consumed in visiting the sick. Since I saw you I have purchased from my son, a tract of land opposite Mr. Hudson's dwelling and am now engaged in building, and preparing to build, a dwelling, etc., consequently have declined going to Iowa City for the present. My wife is now at Tipton on a visit to Lewis. I desire to be remembered most affectionately to all the ladies of the household. Present my respects to them, and kiss them all for me.

“Yours sincerely,

JOHN CHAMBERS.”

At this time the Governor was nearly, if not quite, seventy years of age, his interest in Iowa politics had in a great measure ceased, and my own cares, professional and otherwise, demanded my whole time; and through these circumstances, my correspondence came to an end. How long he remained in Iowa after this, I am unable to say, but in 1852, he had returned to Kentucky. His disease, dropsy of the heart, from which he had been so long a sufferer, returned, and he had again become very fleshy. It caused his death, at Paris, in that State, on the 21st of September, 1852, in the 73rd year of his age, and thus passed into the Future Life—

“That borne from which no traveler returns”—

A devoted patriot, a good citizen, a faithful servant, whose whole life had been given to the public service, and whose memory deserves the highest meed of praise, and is worthy of commemoration. The second portrait of Governor Chambers is taken from a portrait in oil, painted by George H. Yewell, an Iowa artist, now residing in New York City, and shows him in his later years and near the close of his life.

While engaged in preparing this article, I sought information in various directions, desiring to make it as complete as possible at this late day; and those to whom I applied were Gov. Gear and Samuel W. Durham, Esq., who still survives in his 75th year, and who was a member of the first Constitutional Convention, representing Linn county, and from whom

I received replies: The letter of the latter is full of interest, mentioning as it does so many of the early citizens of Iowa, who were then prominent, all of whom have passed away, and all of whom were known to Gov. Chambers, and confirming the statement in this article as to the personal character and standing of the Governor, even among his political opponents—Mr. Durham being one of that number. Deeming these testimonials to the character of Gov. Chambers worthy of preservation, I take the liberty of appending them to this tribute to the memory of my old friend. The letters copied in this article are in the collections of the State Historical Department.

“WASHINGTON, D. C., February 13, 1894.

“WM. PENN. CLARKE, ESQ.,

Kellogg Building, Washington, D. C.

“*My Dear Mr. Clarke* :—I have yours of the 12th and note its contents. I am surprised to hear there is no mention of Gov. Chambers in any of the encyclopedias.

“He was a distinguished man, being on the staff of Gen. Wm. Henry Harrison during the Indian wars and distinguished himself very highly. I recollect very well when I first saw Governor John Chambers. It was in September, 1843, I was then a lad, having left Fort Snelling to go to Burlington to make it my home. You will bear in mind that the Governors of the Territories then were also Superintendents of Indian affairs. Col. Bruce, of Fort Snelling, was then agent for the Sioux Indians. Hearing that I was going to Burlington, he gave me some dispatches to carry to Gov. Chambers. On arriving at Burlington, I presented myself. Being but a mere boy the Governor was quite inquisitive to know how I came to be made bearer of the dispatches. I told him that Col. Bruce, the Indian agent at Snelling, had given them to me to pay my expenses, and from that time until he left Iowa he treated me with the greatest consideration. While his office was in the town of Burlington, his home was on a farm eight miles west of the village. He was a most delightful man in his manners, thoroughly upright and just, and impressed me, as he did everybody else, as being a man of very great ability. He was appointed by President Harrison, and served as Governor of Iowa Territory until he was removed by Mr. Polk, being succeeded by the Hon. James Clark, of Burlington.

Yours truly,

JNO. H. GEAR.”

“MARION, IOWA, Feb. 14, 1894.

“HON. W. PENN. CLARKE,

“*Dear Sir* :—I have a recent letter from my daughter Mary, in which she says you are preparing an article for an Iowa magazine, and that you expressed a desire to hear from me about some historical points, as to Gov. Chambers and the Iowa Territorial Constitutional Convention No. 1, which convened at Iowa City, Oct. 7, 1844.

John Chambers, a sterling, sturdy, fresh-complexioned, honest gentleman from Kentucky—an importation—as the phrase now goes, was appointed about the time of President Harrison's death, displacing Gov. Lucas, who was sent on here from Ohio by President Van Buren in 1838. Lucas had served in the War of 1812, in Harrison's army, with Colonel McArthur, afterwards Governor of Ohio, and both were surrendered by General Hull to the British General Proctor. Lucas was no doubt considered by General Harrison as an offensive partisan, as it is now known, that is, he was a Democrat and Chambers was a Whig. This was always the only criticism I ever heard any Democrat allege vs. John Chambers. He enjoyed the respect of all, but when Mr. Polk was elected, he naturally anticipated a removal, which took place in 1845, and Chambers not very long after went back to Kentucky, having served about four years. James Clark of Burlington, a brother-in-law of A. C. Dodge, succeeded him; he, Clark, had been a member of the Convention of 1844. He was a very respectable, quiet kind of a gentleman, slender and thin in build, and he was the last Territorial Governor. But why should I rehearse so much of these things to you, who no doubt know more about it than I. As to the Convention of 1844, presided over by Shepherd Leffler, it made several innovations on common State constitutions, the substance of which were incorporated into the next two succeeding ones, to wit in 1845-'56-'57. One was an elective Judiciary by the people, which was opposed very strongly by Maj. T. J. McKean, afterwards General McKean of Linn County, and others. Another was limitations of State indebtedness to \$250,000, which has no doubt saved this State from a debt of millions. Another was biennial sessions of the Legislature. Another, and which was not put in your convention and constitution, was a prohibition of any bank under State authority from issuing any bills or notes to circulate as money; the idea was that all paper money should be issued by the general Government in the form of treasury notes or something similar. This matter was discussed very warmly, Hempstead, Langworthy, Gen. Gehon, Olmstead, Dr. Bissell, George John Taylor, of Cascade, and I think Judge Grant in favor, besides my humble self. It was opposed by W. W. Chapman, Ebenezer Cook, R. P. Lowe, and Mr. Lucas, T. J. McKean, et al.

But the boundary question killed that Constitution. Edward Langworthy and the northeastern delegates insisted that the line should run up the Mississippi to the Earth River and take in to Mankato, thence west far enough about to strike the divide between the Missouri and Mississippi. In the light of subsequent facts, this boundary should have been rejected.

"I am, respectfully, your obedient servant,

"SAM. W. DURHAM,"

THE TWENTY-FOURTH IOWA VOLUNTEERS.

FROM WINCHESTER TO DAVENPORT.

BY CHAS. L. LONGLEY.

WINCHESTER AND FISHER'S HILL.

The unfinished narrative of Sergeant T. L. Smith, the last installment of which appeared in the October (1893) number of the "Annals," left the Twenty-Fourth Regiment of Iowa Volunteer Infantry encamped near Charlestown, West Virginia, on the first day of September, 1864. It belonged at this time to the Fourth Brigade, Second Division, Nineteenth Army Corps—the Brigade being composed of the 24th and 28th Iowa, and the 8th and 18th Indiana Regiments. The Brigade was then a part of the Army of the Middle Military Division, better known as the Army of the Shenandoah Valley, the command of which was assumed by "Little Phil" Sheridan on the 7th of August preceding. The Nineteenth Army Corps was commanded by Major General W. H. Emory, the Second Division by Brigadier General Cuvier Grover, and the Fourth Brigade by Colonel David Shunk, of the 8th Indiana. Lieutenant Colonel John Q. Wilds was at this time in command of the 24th Iowa, with Major Ed Wright for his Lieutenant. In search in the archives of the Adjutant General of this State, perhaps the only similar office in the country to which regiments in the field were required to send, or did send, duplicates of monthly consolidated reports—reveals the fact that the total strength of the 24th at this time (August 31st report) consisted of twenty-nine commissioned officers and six hundred and sixty-eight enlisted men, of whom six commissioned officers and two hundred and forty-two enlisted men were absent, sick or on detached service, leaving twenty-three commissioned officers and four hundred and twenty-six enlisted

men present. As one of the former is reported on special service, and eight of the latter sick, the aggregate actually present for duty was twenty-two officers and four hundred and eighteen men, which may be taken as substantially the number participating in the battle of Winchester, three weeks later.

The Regiment moved to Berryville September 3d and remained there until the morning of the 19th, participating meanwhile in several exhaustive marches and stirring reconnoissances; but as no casualties resulted, an attempt at detail will be unnecessary. Upon the 18th of this month came the significant order to send back everything that could not be carried upon the persons of the men or the horses of the mounted officers, and to be ready to march at two o'clock next morning with three days' rations in the haversacks. The historic interview between Grant and Sheridan had just taken place, which resulted in the most laconic instructions ever given by a Commander-in-Chief to a subordinate who, with a large army, was just opening an independent and vastly important campaign. Cæsar himself ceased to be the model of terse brevity when at this time General Grant said to General Sheridan, "Go in"! The loyal Winchester girl, Miss Rebecca Wright, had just communicated to General Sheridan information of the movement of General Kershaw's Division of the Confederate Army, then under command of General Jubal A. Early, toward Richmond; and on the third day after the interview with General Grant, General Sheridan *went in*.

Under the orders already noticed the 24th Iowa moved out of its camp at Berryville at three o'clock on that pleasant Monday morning, September 19th. After marching some two miles on the Winchester pike a halt of two hours was made to permit the Sixth Corps to take the advance through the narrow defile known as Berryville canyon and leading toward the left of Early's forces, then camped a short distance south of the town of Winchester. It was after sunrise before the command was again put in motion, and toward eleven o'clock, when, turning to the right, it was deployed on the right of the Sixth Corps—the Second Division constituting the right of

the Nineteenth Corps, and the Fourth Brigade the right of the Division, which was not at this time connected with, upon its right, or supported by, any other command, although the First Division and further back, the Eighth Corps, were held in reserve.

In a paper like this it would be neither practicable nor desirable to attempt the presentation of the formation of the entire army nor of the details of the battle. Our concern with the 24th Iowa, including only such outside facts as are necessary to a tolerable degree of intelligibility. An hour or more had been consumed in getting into line as stated. The rattling fire of skirmishers and the shuddering cry of the cannon have for some time told of the presence of the enemy in the belt of woods to the front and right, when, at twenty minutes before twelve o'clock, the order for a general advance is given. The 24th Iowa never moved into an engagement in better shape than on this occasion. Every man was in his place and the line started across the open in as fine form as if it was only out upon parade. The fire that met its first advance and grew hotter constantly, together with inequalities of the ground and other incidents of such a time and place, were not without effect; but it was still a good line before which Ramses's men recoiled and from which went up the premature cheers of victory. For the departure of the enemy uncovered the enfilading fire of a well placed battery of seven guns, which a brigade of Rhodes' Division, just arrived upon the field from Stevenson's, pressed in between the Sixth and Nineteenth Corps, and the order to fall back was followed by a race against death or capture. A little point of timber just beyond the most vicious sweep of that enfilading fire was a natural rallying place; and, according to an incident of this battle given by one of General Emory's Staff Officers and published in Harper's Monthly for December, 1864, which is reported in Greeley's "American Conflict," it was first utilized by Captain W. T. Rigby, of the 24th, who, with a dozen men, came marching deliberately to the rear and here halted, faced the front and called for three cheers; his little line forming a nucleus which

rew rapidly into a formidable one. It is at all events certain that a rally was made here and was at once joined by many of the officers and men of the 24th as well as of the other regiments; and that this line was held against a sharp attack for some time and until the arrival of the reserves.

It was from this point that Major Ed Wright started back after much needed ammunition and had ridden some distance when a solid shot, having passed over the line, ricocheted from the ground and, striking his horse between the hams, passed clear through his belly and lodged between his fore shoulders. The old fellow spread his feet, stiffened himself, stood fast while the Major dismounted and remained standing like a statue while the saddle and bridle were taken off—lying on his feet before the collapse came. The Major gave the saddle and bridle into the charge of a convenient darkey, who was just then making great haste to change his location, and went on after the ammunition—bringing back a box of cartridges on his shoulder, instead of on "Old Jack" as he had anticipated doing.

But the Eighth Corps finally came up, formed on the right of the Nineteenth and attacked vigorously, while still farther to our right the cavalry of Crook and Averill made its presence felt. This was the beginning of the end. One more grand effort from right to left and the Confederate legions gave way, and, as the day ended, went "whirling through Winchester," to quote Sheridan, in full retreat. The victory was a notable one, and coming from the Shenandoah valley, whence heretofore had been heard only notes of defeat and retreat, the news was exultantly received throughout the country—Grant's army at Petersburg firing a salute of one hundred guns, all shotted and pointed toward the enemy!

The tired troops rested that night at Winchester, but next morning pressed on down the valley after the retreating columns. Arriving at Strasburg on the evening of the 20th, the next day was spent in getting into shape to attack the very strong position now occupied by the enemy on Fisher's Hill. This attack, which took place late on the 22d, the 24th, with

the other regiments of the division, formed in front of the trenchments and skirmished sharply but without serious casualty until the Eighth Corps began its unsuspected advance from a flanking position on the enemy's left. A grand rush then swept everything in absolute rout, sixteen cannon being left in battery near the pike and great captures of men and material resulting.

Pursuit was at once taken up by the Nineteenth Corps and continued through all sorts of obstacles until 3:30 the next morning. The 24th held the advance during this trying night march, and several times received out of the bewildering darkness the fire of the Confederate rear guard. In one instance only was this attended with serious results, when a section of artillery and a line of infantry fired so nearly into the faces of the officers riding at the head of the regiment that the flash of the guns stampeded the horses and sent them crashing back through the crowded roadway. But although the darkness made the scene a trying one, it hid the men aimed at as well as the gunners, and the injury actually received was under the circumstances, surprisingly small. Four enlisted men were slightly wounded and one officer, Captain S. McKinley, of Company A, very seriously hurt by a bullet which shattered his thigh.

Some strange fatality seemed malignly to follow the brave and capable officer last named. Desperately wounded at his first severe battle in which the regiment was engaged, at Champion Hill—a bullet in his face and his skull broken by a fragment of shell, insomuch that his recovery was thought impossible—he, nevertheless, returned to duty the following spring and attempted to join his regiment at Alexandria. While on his way up Red River the boat was fired upon by guerillas, and, as the "boys" said, "of course McKinley was hit," being again severely wounded, this time in the arm. At the time now under consideration he had just joined his command after convalescence from the Red River wound, and was walking in the very rear of the regiment, which was marching left in front. Yet the only serious injury was sustained

poor McKinley; who, as the troops were without ambulances or conveyance of any kind, had to be left at the roadside in the care of a couple of the regimental musicians. And what is more, the details of the experience of McKinley and other wounded, thus left, for the next forty-eight hours, would fill greater space than is allowed in this paper and prove vastly more thrilling. For Mosby's guerillas came upon the scene and actually ended the suffering of some of the poor fellows by firing at them as they lay upon a hovel floor, under which the best were hidden. Captain McKinley, however, survived and recovered and for some years appeared to be a well man; and although later in life more than half a hundred bits of bone from that shattered thigh worked out at different portions of the limb, and he walks to-day with two crutches, he is still a very live man, as many of his Iowa friends can testify. The pursuit of Early was continued down the valley to Harrisonburg, but the active work of this part of the campaign was concluded with Fisher's Hill—the regiment being authorized by general orders to have the names of both the battles here noted emblazoned upon its colors.

In the two engagements the 24th sustained serious losses among its best officers and men, as follows: *Killed*:—Captain R. Gould, Company D; First Lieutenant S. S. Dillman, Company E; and privates W. H. Davis, J. W. Arbuckle, W. B. Tricker, A. D. Carmichael, Theo. Stinger, H. M. Reed, G. F. Coleman, C. H. Dean, Harvey Williams. Four officers were wounded, including Captain McKinley, Lieutenant R. S. Williams and Adjutant D. W. Camp, all severely—and Lieutenant W. W. Edgington, slightly. Fifty-six enlisted men were also wounded, very many of them severely, and three were taken prisoners, bringing the total casualties up to seventy-four officers and men. To the list of the killed should also be added the names of seven men returned as "wounded," but who died of their wounds within the next few weeks, namely: William O. Miller, C. F. Bumgardner, Samuel Godlove, Israel I. Ritter, Cornelius M. Westfall, John W. Carmichael and Sergeant C. L. Foote.

The two company officers who have gave their lives to the cause of their country were among the best of many good ones in the regiment. Joseph R. Gould, Captain of Company D, was born in Massachusetts and was at this time 30 years of age. He enlisted at Pedee, Cedar County, August 11, 1862, and was mustered in as First Lieutenant of his company. He was a competent and considerate officer, and withal as brave as a lion. He was shot through the abdomen by a musket ball; and although he lived until the next forenoon, those who lay near him through that terrible night on the battle field will never forget the cries of anguish and pleadings for relief that were wrung from him by the torture of those sluggardly hours. Sylvester S. Dillman, among many students, was the most scholarly man in the regiment. Born in Ohio in 1828, he graduated from college and entered upon the profession of teaching, to which he was only less attached than to the war and little ones he left behind when he entered the service. Quiet, refined and thoughtful, there was nothing alluring in Lieutenant Dillman in the life of a soldier. He enlisted strictly from a patriotic sense of duty; his business was to put down the rebellion, and to it he devoted himself with careful and persistent attention to every duty, and quiet but invincible bravery, and finally sealed his devotion with his life.

Of each one of the sixteen enlisted men whose lives were given in this engagement, especial mention might well be made if did the scope of this paper permit. So also of the nearly three score wounded, who were next day gathered, with those from the 28th Iowa and some others, into a brick church in the town of Winchester, which was soon transformed into a well organized and excellently conducted hospital. Chaplain Simmons, of the 28th, always stayed on such occasions to look after the temporal as well as the spiritual welfare of his "boys," and the members of the 24th never failed to come in for a share of his attention. It has already appeared that, out of the fifty-six men who were so seriously hurt as to be officially returned as "wounded" in this battle, seven died of their wounds. This was not a large per cent., the conditions as to location, weather,

and care, all being favorable after the establishment of the church hospital. And the weary days of pain spent there were brightened by hope and comradeship as convalescence became general, until some of the jolliest reminiscences with which the members of the 24th regale each other in their reunions of this later day find their rise here. For instance, it is told how "Jack" Pitman, of company B, one day came shuffling into the main ward having in tow a countryman who was carrying a sack of peaches just taken from the nondescript vehicle standing at the door. Jack saw the process of distribution among those present fairly started, but when the bottom of the bag was reached could not be found by the now anxious vendor. After considerable fruitless search, the latter appealed to the surgeon in charge of the hospital on whose order Jack appeared and was confronted by the irate Virginian. The latter explained in a broad local dialect, how Jack had bought his peaches and refused to pay for them. "See here, old man," said Jack when his turn came, "when you drove your old shebang up here I was standing on the steps outside, wasn't I?" "I reckon so, sah." "And you asked me, I didn't want some peaches, didn't you?" "Yes, sah!" "And you brought me one to try, didn't you?" "Yes sah!" "And you told you you better carry them inside, I thought the boys could take some, didn't I?" "Yes, sah!" "Well, what you rowling about—didn't they take 'em?" The old man's jaw was already fixed for a yet more emphatic affirmation, but stopped with astonishment at this audacity; and while Jack rapped away the surgeon explained that as the boys evidently thought they were being treated to the peaches, he did not see what he could do anything.

The regiment remained at Harrisonburg until the 29th, then moved on "up the Valley" about seven miles, being stopped by the destruction of the bridge over North River, this being the extreme point reached by the infantry. On the 30th we moved back to Harrisonburg and remained there until October 31st, beginning the work of destruction which had been agreed upon as absolutely necessary in order to end the Confederate

use of that rich country as a supply depot, as well as a provisioned route through which to make raids and forays. In this way the retrograde movement was leisurely conducted through Newmarket, Mt. Jackson and Woodstock, stopping a few days near Strasburg and finally, on October 10th, making an entrenched camp on the east bank of Cedar Creek just at its confluence with the Shenandoah river, where the next great act in the drama was played.

REV. SAMUEL CLARKE.

THE PIONEER METHODIST CLERGYMAN OF SOUTHEASTERN IOWA.

BY HON. SAM. M. CLARK.

About the time of its date, the following communication appeared in the Burlington *Hawkeye*:

DES MOINES, March 8, 1894.—*Editor Hawkeye*: The Historical Department is engaged in an effort to secure as far as possible oil portraits of the men and women who bore distinguished parts in the early history of our state. Among these, it is especially desired to obtain portraits of the early representative clergyman or missionary of each of the great religious bodies. We now have fine portraits of the Rt. Rev. Henry W. Lee, First Protestant Episcopal Bishop of Iowa, and the first Catholic Bishop of Dubuque. Several others are promised at no distant date. After much inquiry, I have no doubt that the foremost Methodist Episcopal clergyman of early Iowa was the Rev. Samuel Clarke, whose arduous labors are well remembered by our surviving pioneers. My purpose in writing this communication is to call the attention of the Methodist Episcopal Conference, which is to meet in your city the present year, to this subject, with the hope that some action may be taken in the matter of securing Mr. Clarke's portrait.

Very respectfully yours,

CHARLES ALDRICH,
Curator of Historical Collections.

Samuel Clarke (that is the way he always spelled his name and his father before him) was born near Winchester, Virginia, October 9, 1799. His father, George Henry Clarke, was born

in County Cork, Ireland, 1755, and was brought up to the trade of a weaver. He came to America just before the breaking out of the war for Independence, and was a private soldier in that war. He was at the siege of Yorktown. At the end of the war and his retirement from service, he married Anne Mercer, and became a farmer near Winchester. Her people had been long in the colony. One of her brothers was a staff officer with General Anthony Wayne in his Indian campaign, and another brother built the first block house at Cincinnati. George Henry Clarke was raised a Quaker, but after Francis Asbury began to organize the Methodist Episcopal church in America, he became a Methodist, and was accounted a wise helper, and counsellor in the new church by Asbury and Bishop William McKendree, the latter of whom often visited him.

Samuel Clarke did not have many school advantages. There was no such thing as education of the masses in Virginia at the close of the last century, and he was not born to the wealth of the large land holders there, who employed tutors for their children, who prepared them for the university. We presume Mr. Clarke got the most of his education after he became a Methodist preacher, which he did in his twentieth year. Wesley and Asbury as the founders of the Methodist church recognized the deficiencies in scholarship of a ministry taken from the masses of the people and prepared a very wise and thoughtful course of reading and intellectual training for the young ministers.

Mr. Clarke's first two years that he was under a preacher in charge, as Methodist usage goes, were with Beverley Vaughn, afterwards a bishop of the church, and with the German bent for thoroughness and scholarship. So it was a good association for young Clarke. The earliest book that we have of his, is an old battered copy of Ainsworth's Latin dictionary which belonged to that period of his studies. But he never became a scholar in the university sense. He was always a good reader, and tore the heart out of a book with an intuitive genius for reading and extracting the matter of

books beyond any man we ever knew. He was what Emerson admired, a man who knew the greatness of Shakespeare. He read him all his life and probably was more familiar with his plays and quoted them oftener than any book, except the Bible.

The Baltimore Conference at the time of Mr. Clarke's ministry, embraced Maryland, Virginia and a part of Pennsylvania. Mr. Clarke's appointments while he was in that Conference were at Rockbridge, Hagerstown, Leesburg, Gettysburg, Frederick, Staunton, Fairfax. These years and work brought him to the year 1832. He then went to Ohio, bought a farm in Green County, near Xenia, where he settled his family and became a minister of the Ohio Conference. After nine years there he bought 640 acres of land in Van Buren county, Iowa and moved with his family there. In the preliminary trip that he made to spy out the land to see whether he would like it, he preached at Keokuk in the summer of 1840 to an audience gathered in a grove where now runs one of the principal streets of the city. Iowa and the Iowa Conference were his final field of labor. In the early part of February, 1858, he walked from his farm into Keosauqua and preached to a full house, speaking with all his old time strength and force. He went on to Birmingham and preached twice there. He then went out to Libertyville in the edge of Van Buren and Jefferson counties and preached in a country church. He drove with a friend a few miles to his home, took an inflammation of the throat and died of the croup or diphtheria on the 16th of February, 1858.

Two years ago, at the annual reunion of the old settlers of Van Buren county, that veteran Iowan, George G. Wright, ex-chief justice and ex-United States senator, made one of his reminiscient talks to his old friends and neighbors of Van Buren county. He said substantially: "I wonder how many people here recall the sermon preached by Rev. Samuel Clarke on a Sunday of 1842 at the camp-meeting in Purdom's grove on the river just above Keosauqua. The circumstances were these: Mr. McBride, at that time a leading associate of Abner Kneeland in his attempt to found an infidel and free-thinking

controversy about which however much has been known so much seems not to have been known. On the one hand the Company has been charged with having "robbed" the State of hundreds of thousands of acres of land, while on the other hand the State has been charged with having attempted to rob the Company of about a million more acres by arbitrarily putting an end to the contract under which it claimed it was entitled to buy them at \$1.25 an acre in work on the Improvement. As will hereafter be seen the Company, on the one hand, paid the contract price for all the land it received, and, on the other, the State could not have made title to the remaining lands if the Company had actually earned them in work on the Improvement to the required amount, the grant, after the repudiation of the contract by the State, having been held by the Supreme Court of the United States not to embrace them. Had both the State and Company acquiesced in Attorney General Cushing's proposed compromise, making the northern boundary line of the State instead of the *source* of the Des Moines River in Minnesota the northern limit of the grant, there *might not* have been occasion for any such charges or indeed any such thing as the "Des Moines River Land troubles." Which party, if either, was to blame in this particular contention, is a matter about which there is room for honest difference of opinion upon the statements to be presently referred to.

W. C. Johnson, the then president of the Navigation Company in his report as such to the Governor November 15, 1856, says that as early as May, 1855, "nearly half the work was prepared for letting and was put under contract." And further that,

"At this point information was received that the General Assembly had passed an act in derogation of the title which had been agreed to be given to the Company, and requiring that no patents should issue to the Company, except with a derogatory clause inserted."

The following is the derogatory clause referred to :

"Nothing in this patent shall be construed into a warranty by the State against any claim or claims to said lands arising out of any pre existing contract in relation to any lands, made or entered into by the State, or any of its agents, nor

as intended to interfere with any of the rights of any person or company, to any of said lands accruing by virtue of any law of this State, or any contract under the provisions of any of said laws."

Further on in his report, referring to the suspense in which the company was kept by reason of the uncertainty as to what should be finally held as to the extent of the grant he says :

"But it was not until June that a decision was given, and then it was that the grant might be construed as extending to the north line of the State, provided the State should release the lands lying above. Thus matters have stood until this time, the Government refusing to recognize the grant as extending beyond the north line of the State (cutting off about 300,000 acres of land) and refusing to recognize the grant as extending beyond the lands already approved to the State except on the condition of the execution of a release of the balance. In this condition of the grant the Company felt that good faith towards the State required of it, a suspension of new work until the wishes of the State in the premises could be ascertained. The Company has expended in payment of State indebtedness and construction (exclusive of the salaries of its officers and office expenses) more than the sum of \$360,914.14, on account of which there have been certificates to it by the Register and Commissioner of the Des Moines Improvement, two hundred and five thousand four hundred and eighty-nine and twenty-three one hundredths acres of land under its contract, leaving over a hundred thousand dollars due from the State and for which it is in arrears to the Company. To pay this would more than exhaust the balance of the lands, the title to which has, as yet, been transferred by the General Government to the State, excluding those which have been erroneously approved, and the entire balance of the grant embarrassed by the refusal of the General Government to make more transfers to the State except on condition of a release of the lands north of the State line."

One Donald Mann presented a memorial to the General Assembly at its special session in 1856, charging mismanagement and fraud on the Managing Directors and Executive Committee of the Navigation Company, particularly in the matter of alleged issues of *apparently* "paid up" stock, of which in fact only a small per cent. had been paid, on part only five per cent. and on part only twenty per cent., thereby, as was alleged, deceiving both "the public and individuals" and through failure to realize from payments on stock and consequent want of funds with which to prosecute the same, retarding the work on the Improvement. Another memorial presented by him to Governor Grimes on the same subject was by the Governor laid before the General Assembly at its

regular session in 1856; and the Governor's annual message submitted to the General Assembly at the commencement of the same session, referring to a request of President Johnson of the Navigation Company, and to the affairs of that Company generally, contained the following:

"I received on the 3rd day of last October from W. C. Johnson, Esq., president of the Des Moines River Improvement & Navigation Company, a request that I would examine into the affairs of that Company; or cause them to be examined by a committee whom I might appoint, and proffering to pay all expenses that might be attendant thereon. Although the Governor of the State had no authority to appoint such a committee, yet the necessity for such an investigation was so great that I should have exercised the power but from my inability to procure the services of the most desirable persons for the duty. It is due to the people of the State and to the members of the Des Moines River Improvement & Navigation Company, that the rights and relations of the Company to the State should be definitely ascertained, and distinctly understood. To this end it is recommended that a commission be appointed, with power to administer oaths and to send for persons and papers, with instructions to inquire into all the transactions of former Commissioners and Registers of the Des Moines River Improvement; to report as to the character and validity of any contracts that may have been made between the State and persons or companies for the improvement of the Des Moines river, and especially to report with regard to the transactions of the Des Moines River Improvement & Navigation Company.

"Until such investigation is made and report submitted, it is recommended that all action on the part of the State in connection with the Des Moines Improvement and the Des Moines River lands be suspended."

A joint investigating committee was accordingly appointed by the General Assembly and made its report to that body at the same session of 1856-7. The following are extracts from their reports:

"Your committee are of the opinion that no legal contract was ever entered into by the State of Iowa with the Des Moines Navigation & Railroad Company. (In this it will be seen hereafter the committee was mistaken, the Supreme Court having held otherwise.)

"By the terms of what is claimed to be the original contract, the whole Improvement was to be completed by the first of July, 1858, and one-quarter of the work done annually. Now, according to the evidence before the Committee, it appears that there were expended by the Company up to the first of December, 1856, a period of nearly two and a half years in actual construction, \$185,957.44, and in engineering and incidental expenses, \$104,180.74. Your Committee can find no reasonable excuse for the extraordinary sluggishness with which the work has been prosecuted, compatible with an honest purpose of prosecuting the work to completion, for the sole consideration of receiving in payment therefor the lands granted by

Congress, and the use and rents of the Improvement and water. Now, if the D. & M. N. & R. R. Co. had a *bona fide* capital actually on hand of nearly \$1,000,000, paid in for the prosecution of the work, as they ought to have according to the amount of stock issued, and had hitherto prosecuted the work with that vigor and energy which its importance demands, and which the people of the State had a right to expect, the condition of things would be very different; but as the work has been done, in the opinion of your committee, under contract without any validity in law, and if said contract had been valid, in no manner according to the spirit and meaning thereof, your committee are of the opinion that said company are justly and equitably entitled to a fair compensation for the work done by them; but are not entitled, unless the State so elect, to payment in lands at \$1.25 per acre, which are worth six or seven dollars per acre.

The committee were D. T. Brigham, W. F. Coolbaugh, Wm. G. Thompson, J. W. Jenkins, J. J. Matthews, on the part of the Senate, and D. Edmundson, B. F. Roberts, John H. Fry, Miles Jordan, David Doud, Jr., John E. Kurtz, and James Galbraith on the part of the House.

Governor Grimes in his message to the General Assembly, January, 1858, referring to this report of the joint committee said :

"From the report of the Joint Committee of the two houses of the last session of the General Assembly, it would seem that the terms of this contract had never been complied with by the Company, but that it has been disregarded in its most essential particulars, whereby the purposes for which it was entered into have not been and will not be attained. If this be true, you may feel it to be your duty to rescind that contract, for the reasons stated in the report, and make other arrangements in relation to that munificent grant, now in danger of being frittered away without any useful result. The report above referred to also indicated that the Des Moines Navigation and Railroad Company have not only forfeited their charter by a failure to comply with the requirements of the statute, but they have engaged in practices calculated to deceive and defraud, upon a large scale, innocent and unsuspecting persons, both at home and abroad. If this be true, it may be thought a matter of sufficient public importance to justify you in directing the Attorney General to institute proceedings to vacate the charter of the Company and thus prevent it from perpetrating any further wrongs under the authority of the laws of this State."

Commissioner Manning, from his report of January 1, 1858, about the same date it will be observed as that of the report of the Joint Legislative Committee from which the foregoing extract is taken, evidently did not agree with the Committee that the alleged unreasonable delay on the part of the Company was a matter of which the State had any reason to complain. He said :

"The policy heretofore adopted by the Company and approved by former Commissioners, of putting the entire line of improvement in progress at the same time, with a view to the simultaneous completion of the same, was, as has since been demonstrated, impracticable, from the fact that the country is yet new and but partially settled and improved, with only a limited supply of laborers in its vicinity. If the locality of this improvement was more convenient to the densely populated portions of the east, the case would be different. But when it is considered that it is one thousand miles distant from the seaboard, thereby rendering uncertain the procuring of the laborers necessary for its successful progress, then it becomes more apparent that the limited force at command should be employed so as to make the first section of the work available at an early day, whereby the citizens of the valley, as well as the Company, can derive some immediate benefit from the great expenditure upon the improvement. All past experience in great internal improvements warrants me in this view of the subject."

In the case of the State on the relation of Johnson, President of the Navigation Company, against the Commissioners of the Des Moines River Improvement, a mandamus proceeding to require the Commissioner of the Improvement to transfer and convey to the Company 89,000 acres of land claimed by the Company as having been earned under its contract, the Supreme Court of Iowa at its June Term, 1857, in a decision not found in the printed reports, held, that the contract of June 9, 1854, was valid and that while the supplemental agreements, one of the same date, and the other of June 29, 1854, were originally invalid for want of the Governor's approval, the necessity of such approval had been waived by the repeated and express action of the executive and legislative departments of the government.

The writ of mandamus was denied for the reasons :

1st. That it did not appear from the petition that the one-quarter of the work required to be completed in each year had been so completed.

2nd. Because the proceeding was in effect for specific performance of the contract and the petition did not show either performance or readiness or willingness on the part of the Company to perform.

3rd. Because from the petition and record it was doubtful whether the amount claimed or any amount was due on the contract and settlement with Manning.

Commissioner Manning in a report made to the Governor January 1, 1858, referring to this decision said:

"The Supreme Court dismissed the application for a writ of mandamus, for the reason, among others, that it did not show such a compliance upon the part of the Company with their contract as entitled them to a specific performance upon the part of the State; and the Company not choosing to amend their application and risk an issue of fact with the State upon the question of their performance the litigation was ended."

There seems to have been a contention between the Company and the State as to their respective rights under the contract as affected by the greater or less extent of the grant accordingly as the location of its northern boundary should be finally determined; the Company claiming to be entitled to all the land within the limits of the grant even though it should at \$1.25 per acre, exceed the estimated cost of the improvement—\$1,300,000—and, on the other hand, that it was not liable for more than \$1.25 per acre should the quantity of land within the grant prove to be less than the estimated quantity.

Commissioner Manning in his report already referred to referring to this contention, said:

"The Company has agreed to pay and the State has agreed to take \$1,300,000 for the land, etc. The sum is fixed for the aggregate, the contract don't call for or contemplate any given or certain quantity of land, but is definite in other respects, insomuch that the Company get all that belongs to the grant after the date specified. Now, the Des Moines Navigation & Railroad Company repudiates and decline to pay the sum agreed upon for said 'grant' and this refusal has just been announced by the Company, and their policy disclosed. The fact is no longer disguised that the said Company now utterly refuse to acknowledge any liability whatever to the State to pay more than \$1.25 per acre for the land of the grant; and if the same exceed a certain amount, then they will or will not, as they please to elect."

Following which he further states, that he and General Clarke, the latter acting as agent for the Company, visited Washington with reference to the compromise proposed by Attorney General Cushing, and that when there Secretary Thompson proposed to "carry out the *verdict* of Cushing; whereupon he, Manning, proposed to Clarke to "co-operate with the Company, and either accept or reject the Cushing opinion, leaving the Company to elect which course to adopt."

The report proceeds :

"At this juncture of our proceedings the agent of the Company (General Clarke) required the Commissioner (Manning) to accept the lands, and the interpretation of the act as provided in Attorney General Cushing's opinion rendered in the case, and that upon the condition that the Commissioner or the State would release the Des Moines Navigation & Railroad Company upon their contract of 9th June *pro rata* and to the same extent that the State and Company are required to relinquish to the General Government under Cushing's opinion, then upon that condition the Company would co-operate with the State, but upon no other or better terms. This proposition was rejected by the Commissioner as not intended in the contract between the Company and the State, and thus the case now stands."

It is further said :

"The release they (the Company) demand of the State, involves a question of at least \$400,000 importance to the State, and is, in the opinion of the Commissioners, the gravest and most vital question that has ever arisen between the Des Moines Navigation and Railroad Company and the State."

Resuming the chronological order of statement where it was interrupted by the foregoing somewhat lengthy digression :

March 29, 1859, Mr. Thompson, Secretary of the Interior, wrote the Commissioner of the General Land Office transmitting a copy of the opinion of Attorney General Black, holding that the grant did not extend above the Raccoon Fork, and concluded his letter as follows :

"In the view of the Attorney General as thus expressed, I fully concur, and it therefore only remains for me to inform you that no further action can be taken in this department or in your office which will recognize the grant as extending above the Raccoon Fork of the Des Moines River."

At the December term, 1859, of the Supreme Court of the United States, in the case of the Dubuque & Pacific Railroad Co. vs. Litchfield, reported in 23 Howard, 65, it was held that the grant did not extend above the Raccoon Fork, and that the act of the Secretary of the Interior in certifying lands to the State under it were void and conveyed no title.

In consequence of this decision Mr. Wilson, Commissioner of the General Land Office, caused the following notice, dated May 18, 1860, to be posted in the local land offices in Iowa :

"Notice is hereby given that the lands along the Des Moines river in Iowa and within the claimed limits of the Des Moines grant in that State above the mouth of the Raccoon Fork of said river, which have been reserved from sale heretofore

on account of the claim of the State thereto, will continue reserved for the time being from sale or from location by any species of scrip or warrant, notwithstanding the recent decision of the Supreme Court against the claim.

"This action is deemed necessary to afford time for Congress to consider upon memorial or otherwise the case of actual, *bona fide* settlers holding under titles from the State and to make such provision by confirmation or adjustment of the claims of such settlers as may appear to be right and proper."

May 25, 1860, W. T. Steiger, agent for the Dubuque & Pacific Railroad Company, one of the beneficiaries of the railroad grant, addressed a letter to Mr. Wilson, Commissioner of the General Land Office, transmitting a list of selections "for and on account of the Dubuque & Pacific Railroad and branches under the act of March 15, 1856, of the *interfering* lands in the Fort Dodge district, Iowa, within the six and fifteen mill limits of said railroad grant heretofore held in suspension in our adjustment."

Replying to which June 12, 1860, the Commissioner said:

"The tracts in said lists are above the Raccoon Fork and within the lands that have been selected under the Des Moines River Grant by act of 1846, and in view of the recent decision of the Supreme Court affecting the title to lands under the grant above the said Fork, the present lists are handed in by you. As the matter has been placed in train for congressional intervention, no action can be taken in the matter presented by you until Congress shall have time to consider and dispose of the subject."

And on July 7, 1860, the Commissioner in a letter to the Secretary of the Interior, referring to the correspondence with Steiger, said:

"Without passing upon or in fact even considering the question as to the right of the State under the railroad grant to these lands which at the date of that grant had been withdrawn from sale or location, the fact that Congress has taken inefficient action in the matter, of itself justifies us in not recommending further proceedings by the department until after the close of the next session of Congress."

November 3, 1860, Secretary Thompson, in a letter to Governor Kirkwood, replying to a letter from the latter, requesting the postponement of advertised sales *as Public Lands*, of lands that had been improperly certified under the River Grant among other things, said:

"The claim of the United States having been found by the decision of the Supreme Court of the United States, to be without sanction of law, is no longer an obstacle to the sale of the lands, and can no longer be cited as a reason or an excuse for withholding them from market after they have been surveyed."

many years. The present case is one wherein, after all cause of withholding public lands from sale has ceased, the continuation of a reservation of them is ended, and I do not, on the principles above indicated, find it to be consistent with my official duty to recommend the further postponement of the date at which the land in question shall be offered at public sale, and rendered liable to purchase by those who have a right to buy them. Such as are personally qualified to be *pre-emptors*, by filing their declaratory statements and proving actual residence and improvement, as contemplated by the *pre-emption laws*, can enter with the United States land offices, at any time prior to the public sale, a quarter section of land in legal subdivisions, to include their residences and improvements; and such persons not qualified can appear and purchase their lands at public sale, which will thus afford all the opportunity of acquiring a valid title to the tracts of which they are now in possession."

To avoid the hardships that must otherwise have resulted from the decision of the Supreme Court, Congress on March 2, 1861, passed the following joint resolution:

"*Resolved*, That all the title which the United States still retain in the tracts of land along the Des Moines River, above the mouth of the Raccoon Fork thereof, which have been certified to said State improperly by the Department of the Interior as a part of the grant by act of Congress approved August 8, 1846, and which are now held by *bona fide* purchasers under the State of Iowa, be, and the same is hereby relinquished to the State of Iowa."

April 10, 1862, Caleb B. Smith, then Secretary of the Interior, sent a letter to the Commissioner of the General Land Office, referring to the status of the lands covered by the interference of the railroad and river grants as affected by the decision of the Supreme Court and the joint resolution of March 2, 1861, and said:

"The Supreme Court has decided in the case of the Dubuque & Pacific Railroad Co. vs. Litchfield, (23 How., 66), that the act of 8th August, 1846, did not cede any land to the State above the Raccoon Fork, and the before mentioned joint resolution declares that the lands above the Raccoon Fork were improperly certified as a portion of the grant of 8th August, 1846. It follows then that such of those lands as are embraced in the act making the railroad grant, approved May 15, 1856, are to be disposed of according to the terms of that act, *and that without regard to the fact of their having been certified under the act of August 8, 1846.* After completely satisfying the demands of the act, so much of the residue of the lands north of the mouth of the Raccoon Fork as were certified under the supposed grant of August 8, 1846, and which the State of Iowa had sold to *bona fide* purchasers prior to 2d March, 1861, will be also certified to the State of Iowa. The act of 2d March, 1856, granting lands for railroad purposes, excepts such lands as the act of *pre-emption* have attached thereto. This last grant is made because it respects the case of Crilley, and may be others claiming *pre-emption* on said lands."

In the language of the Supreme Court of the United States in *Williams vs. Baker*, 17 Wall., "to show still further the intention of Congress to make good to the State as far as possible all that was claimed by her under the original grant," Congress passed an act approved July 12, 1862, in express terms extending the grant to the northern boundary of the State, and providing that such lands "be held and applied in accordance with the provisions of the original grant, except that the consent of Congress is hereby given to the application of a portion thereof to aid in the construction of the Keokuk, Fort L. Moines & Minnesota Railroad, in accordance with the provisions of the act of the General Assembly of the State of Iowa approved March 22, 1858." And providing further, that:

"If any of said lands shall have been sold or otherwise disposed of by the United States before the passage of this act, excepting those released by the United States to the grantees of the State of Iowa, under the joint resolution of March 2, 1861, the Secretary of the Interior is hereby directed to set apart an equal amount of lands within said State to be certified in lieu thereof;

And still further providing that:

"If the said State shall have sold and conveyed any portion of the lands lying within the limits of this grant, *the title to which has proved invalid*, any lands which shall be certified to said State in lieu thereof by virtue of the provisions of this act, shall enure to and be held as a trust fund for the benefit of the persons respectively whose titles shall have failed as aforesaid."

April 7, 1863, the lands covered by the interference of the two grants referred to, amounting to 233,453 acres, were certified to the State under the railroad grant, 88,010.66 acres—the Dubuque and Sioux City Railroad, 109,756.85 acres—the Iowa Central Air Line Railroad, and 35,685.49 acres—the Mississippi and Missouri Railroad.

April 25, 1863, the Commissioner of the General Land Office issued a special certificate which, after reciting the substance of the act of July 12, 1862, concluded as follows:

"Therefore this is to certify that upon the presentation of this paper to the land offices in the State of Iowa, accompanied by written authority from the Governor authorizing the party presenting the same as state agent to make indemnity selections under said act, it shall and may be lawful for the Register and Receiver to receive lists of such indemnity selections from such agent, the aggregate of such selections to be restricted to 300,000 acres approximate to the ac-

quantity, to be reduced or increased according to the result of the final adjustment."

During the summer following D. W. Kilbourne, as special agent for the State for that purpose, made the authorized selections to the amount of 297,603.74.

In May, 1866, the United States and the State of Iowa made the following adjustment of their land account :

DEBIT.

	Acres.
The State of Iowa, with the quantity of indemnity land selected under special certificate dated April 25, 1863,.....	297,603.74
The lands in place to be certified.....	167,109.02
The lands in place confirmed by joint resolution of March 2, 1861..	44,838.64
The quantity selected on the east fork of the Des Moines river, and certified to the State under the original law of August 8, 1846,...	11,661.80
The excess selected and approved to the State under the 500,000 grant of 1841.....	35,473.52
	<hr/>
Remaining indemnity to the State.....	556,686.74
	<hr/>
	1,317.32
	<hr/>
	558,004.06

CREDIT.

The State of Iowa, with the whole area of the grant above the Racoon Fork.....	558,004.46
	<hr/>
	558,004.06

After the decision in the Dubuque & Pacific Railroad Co. v. Litchfield, holding that the grant did not extend above the Racoon Fork, the interfering lands were claimed by the Railroad Companies, under the act of May 15, 1856; but in the case of Wolcott vs. The Des Moines Company, 5 Wall., 1, it was held that because of the *reservation* previously referred to, of March 2, 1849, under the River grant, the proviso in the act of 1856, "that any and all lands heretofore reserved to the United States by any act of Congress or in any other manner by competent authority for the purpose of aiding any object of internal improvement or any other object whatever, be and the same are hereby reserved to the United States from the operation of this act," had the effect of excepting from the grant the public lands within five miles of the Des Moines

river "between the Raccoon Fork so-called and the northern boundary of the State," and that the title to the same passed by the joint resolution of March 26, 1861, and the act of July 12, 1862.

June 29, 1867, Mr. Wilson, Commissioner of the General Land Office, replying to a letter from Mr. E. C. Litchfield as to the rights of "settlers" on the lands in question under the *pre-emption laws*, in view of the two decisions of the Supreme Court of the United States that have been referred to, said:

"I have come to a different conclusion from what you seem to have reached to the extent of said decision. The main point ruled by the court was in relation to the specific tract of land within the five mile limit of what is known as the Des Moines River Grant above the Raccoon Fork, under the act of August 1846, as against the railroad grant under act of 15th May, 1856, and recognizing title under the first named grant. The question did not come up before the court as to what rights, if any, could have been acquired by actual settlers under the *pre-emption law*, subsequent to the rejection by said court in 1859, (23 How.) of the Des Moines River claim above the Forks and prior to the passage of the joint resolution of Congress 2nd March, 1861, and act of 12th July, 1862, in favor of *bona fide* purchasers from Iowa. It is true that the court expressed an opinion that under the first named or river grant of 1846, the odd numbered sections within said limits above the forks were reserved and that title therefore could not pass under the second or railroad grant of 1856. However this may be, it is held by this office that, after the rejection by the Supreme Court in 1859 of the Des Moines grant as to lands above the Raccoon Fork, and before the passage of the *pre-emption* of said lands in favor of *bona fide* purchasers from the State, such rejection did not operate as a bar to the privileged class of persons known to the law as *actual settlers* under the *pre-emption law*; and it is not understood upon what ground a claim under the Des Moines grant can now be set up to the tracts covered by *actual settlement by pre-emption*, when in the final adjustment of that grant allowance for the benefit of said improvement claim has been fully made in other lands by way of indemnity, and accepted by the State accordingly. I request, therefore, that all *pre-emption* claims to lands within the limits indicated be rejected unless they had their inception prior to the original grant of August, 1846, is hereby declined."

March 31, 1868, the State of Iowa granted to the Des Moines Valley Company, successor to the Keokuk, Fort Des Moines & Minnesota Company, upon certain conditions necessary to be mentioned, also with exceptions that need not be specified, all of the lands granted to the State by the act of July 12, 1862. By formal conveyances subsequently executed pursuant to this grant, there were conveyed by

ate to the Des Moines Valley Company, in round numbers, 3,000 acres, of which, also in round numbers, 297,000 acres are indemnity lands, certified as before stated, in lieu of lands that, as was then assumed, had been lost to the River grant having passed to the State under the Railroad grant. It having been subsequently held that they were excepted from the Railroad grant by the proviso to which reference has just been made, the State, by the "adjustment," to which reference has also been made, had, as was then understood, at its disposal that much more land than it was entitled to. As was afterward held by the Supreme Court of the United States in *Homestead Co. vs. Valley Railroad*, 17 Wall, 153, the State acquired title to these indemnity lands by Act of Congress of March 3, 1871, and not by the "adjustment" of 1866.

May 9, 1868, Mr. Browning, then Secretary of the Interior, in a communication addressed to Commissioner Wilson, in what is known as the Herbert Battin case, claiming under the pre-emption law under which he had settled upon a tract of river land in October, 1857, held the claim good as against both the River and the Railroad grants; but in December of the same year, he ordered all pre-emption and homestead entries made against the lands claimed by the Navigation Company, cancelled.

If the narrative of facts contained in this and the preceding paper, simply as a narrative of facts, has been tedious and uninteresting, it will be less so in the light of the relation of the facts stated to the many important and interesting questions which they gave rise to, the statement of which and when and how they were disposed of, the remainder of this paper will be given.

The earlier rulings of the land department that the River grant did not extend above the Raccoon Fork, resulted in the filing, prior to the railroad grant of 1856, of numerous pre-emption claims on the land above that point. Among these rulings were that of Acting Commissioner Piper, October 17, 1846, already referred to, and the decision of Secretary Ewing, April 6, 1850, in addition to which the lands were pro-

claimed for sale by the President of the United States as public lands June 19, 1848. After the decision in *Dubuque & Pacific R. R. Co. vs. Litchfield*, that the grant only extended to the Raccoon Fork, patents were issued upon some of the pre-emption claims referred to, among others upon one made and improved up by one Hannah Riley. In the case of *Wells vs. Riley*, involving this Hannah Riley claim, decided by the Supreme Court of the United States at its December Term, 1869, and reported, it was held that the pre-emption entry and patent issued on it were void, the reasons for the decision being thus stated in the opinion of the court:

"The tract of land of which the lot in question was a part, had been withdrawn from sale and entry on account of the difference of opinion among the officers of the land department, as to the extent of the original grant by Congress of land in aid of the improvement of the Des Moines River, from the year 1846 down to the resolution of Congress of March 2, 1861, and the act of July 12, 1862, which we held (in the *Wolcott* case) confirmed the title in the Des Moines Company. As the husband of the plaintiff entered upon the lot in 1855 without right, and the possession was continued without right, the permission of the Register to perfect the possession and the improvements, and to make the entry under the pre-emption law, were acts in violation of law and void, as was also the issue of the patent."

Upon the authority and reasoning of the same rulings as to the extent of the River Grant, the "interfering" lands were claimed under the railroad grant, but as already shown, the claim was denied in the *Wolcott* case, the express condition contained in that act as to *reserved* lands being held applicable to the reservation under the Walker decision of 1849. These decisions holding preemption claims and the claim under the railroad grant void, removed all question as to the title of the United States to the land being perfect at the time of the passage of the joint resolution of 1861, relinquishing to "*bona fide*" purchasers under the State of Iowa," and of the act of 1862 extending the original grant to the north boundary of the State.

The State having before the decision in the *Dubuque & Pacific R. R. Co.* case, sold and conveyed about 272,000 acres of lands above the Raccoon Fork on account of the improvement, about 213,000 acres to the Navigation Company,

9,000 acres to individual purchasers, the next and the most important of all the questions was, who were the "*bona fide* purchasers" intended by the joint resolution?

In view of the popular belief that the Navigation Company and its grantees had acquired their title by fraud and substantially without consideration, it was insisted by all opposing claimants that they were not, and that only the individual purchasers were intended. But the popular belief has not been justified in either respect by any of the numerous adjudged cases. The Company obtained in all about 266,000 acres—133,000 acres above and 133,000 acres below the Raccoon fork—something over 205,000 acres of which, as has already appeared, were certified to it at the contract price of \$1.25 per acre, and credited to the State in the adjustment of December 4, 1856, at \$256,861.50. The remaining 61,000 acres were paid for by the balance of \$40,369.04 still due the Company according to the adjustment, \$77,000 expended by the Company under its contract from December, 1856, to December, 1857, as shown by the report of Commissioner Manning of January 1, 1858, and \$20,000 paid on the final settlement with the State under the joint resolution of March 22, 1858; or at the rate of about \$2.25 per acre. The amounts stated were all conceded by the State, while the Company claimed to have paid a much larger aggregate amount.

Mr. Justice Nelson, delivering the opinion in *Wolcott vs. the Des Moines Company*, referring to the certificate of Governor Lowe, of April 28, 1858, said:

"It appears from the certificate of the Governor of Iowa, that the sum of \$332,404.04 has already been expended by these defendants, the Navigation Company and its grantees, under their contract."

In *Baker vs. Williams*, 17 Wall., 144, the court on page 448, referring to the decision in the *Dubuque & Pacific R. R. Co.* case, say:

"It left the State of Iowa, which had made arrangements on the faith of the land title to it, in an embarrassing condition, and destroyed the title of the Navigation Company to lands of the value of *hundreds of thousands of dollars*, which it had received from the State for *money, labor and material actually expended and expended.*"

Mr. Justice Miller, delivering the opinion in *Bullard vs. Des Moines & Ft. Dodge R. R. Co.*, 122 U. S., 167, referring to the same matter and to the justice of the relinquishment by Congress to the State by the joint resolution of March 2, 1861, the title to these same lands for the benefit of the Navigation Company and its grantees, on page 171, says:

"The propriety of some action by Congress, and that the demand for it was pressing, is obvious when we consider that the Des Moines Navigation & Railroad Company, under the contract with the State, had spent *large sums of money* beyond what they had received from the State, and beyond the value of the land certified to the State by the Secretary."

In the cases of *Welles vs. Riley*, *Crilley vs. Burrows*, involving substantially the same state of facts, *Homestead Co. vs. Des Moines Co. et al*, and *Chapman vs. Woolsey*, 101 U. S., 77, *Chapman* claiming under the River grant and *Woolsey* under the School Land grant under the erroneous certification in which reference has been made, the question as to whether or not the Navigation Company and its grantees were *bona fide* purchasers was expressly put in issue by the pleadings and determined in their favor by the court.

In the last named case it was alleged by *Woolsey* in answer that the Navigation Company falsely and fraudulently pretended and claimed to have kept and performed the conditions of its agreement with the State, and to have expended large sums of money upon the improvement; that the Governor of Iowa, without authority, and induced thereto by the fraudulent representations of the Navigation Company, conveyed the lands in question to the Company; and further that the Company, without having paid any consideration therefor, falsely and fraudulently claimed to have been a *bona fide* purchaser thereof within the meaning of the joint resolution of 1861. The State of Iowa desiring to have the question of title determined as between the conflicting or contesting River and School Land grants, under an act of the General Assembly, intervened in the suit and filed its answer denying that the Company was a *bona fide* purchaser. On the application of the Navigation Company, it was granted leave to intervene and file an argument in the case. It thus appears

the issue was distinctly made by the pleadings, whether or not the Navigation Company and its grantees were *bona fide* purchasers, on express allegations of all of the particular facts that have ever been suggested even as impeaching the good faith of the Navigation Company and its grantees. The decree of the U. S. Circuit Court, establishing and quieting the title of Chapman, was affirmed by the Supreme Court at the October term, 1879; 101 U. S., 755. In the opinion, page 765, it is said:

"The original grant contemplated sales by the State in execution of the trust created, and the *bona fide* purchasers referred to must have been purchasers at such sales. This being so, the grant when finally made inured to the benefit of Chapman rather than Woolsey. Neither took title from the State at first, and as the original grant from the United States was *in legal effect* to Chapman, or his grantees, he has the right to have that fact declared by the judicial decision against Woolsey, who sets up his adverse claim."

And further, page 771:

"After the passage of the joint resolution of March 2, 1861, the Commissioner of the General Land Office called on the Governor of the State for a list of the tracts of land 'held by *bona fide* purchasers of the State of Iowa,' on that date. In response to this request the Governor and Land Commissioner of the State, on the 10th of November, 1862, furnished the list required, and among others included the tracts granted to the Navigation Company on the settlement made with that company under the joint resolution of March 22, 1858. This list was filed in the General Land Office December 1, 1862."

In *Litchfield vs. The County of Webster*, 101 U. S., 773, Litchfield being a grantee of the Navigation Company, the court say: "All the lands in this suit had been certified and Litchfield *or those under whom he claims* were *bona fide* purchasers from the State."

Soon after the passage of the joint resolution of 1861, it became a question whether or not these lands thereby became subject to taxation as against the grantees of the Navigation Company, and in the case of Stryker—one of its grantees—in Polk County, 22 Iowa, 131, it was held that they did. Referring to the joint resolution it is said:

"If the plaintiff—Stryker—from that time did not have a taxable interest in the lands, we do not well see how he could acquire it."

And again:

"He held under a deed from the State; the State claimed under the original grant, a list being duly certified, he was a '*bona fide purchaser*,' and the title still

retained by the United States was relinquished to the State *for his use*. . . . The joint resolution was intended *as a matter of justice and right* to secure and give *bona fide* purchasers in their title, unsettled as they were by the decision of the Supreme Court."

This case was followed by the same court in Litchfield County of Hamilton, 40 Iowa, 66.

In Goodnow vs. Welles, 67 Iowa, 664, in which Goodnow was held entitled to recover of Welles, a grantee of the Navigation Company, taxes that had been paid by Goodnow's assignor, claiming title under the railroad grant, for the years 1861-2-3, the court say :

"This resolution (joint resolution of 1861) confirmed the grant as to all lands above the Racoon Fork which were held by *bona fide* purchasers under the State. The State conveyed the land to defendant's Welles' grantor in 1858. Now we explain that *upon the passage and approval of the joint resolution*, the title of the land passed from the federal government to the grantee of the State. The State had conveyed the land, though at the time it held no title; but the joint resolution, if it did not directly vest the title in the State's grantee, did vest it in the State, and that title inured to the benefit of the grantee, who therefore became clothed with title." [Citing *Wolcott vs. Des Moines Company, supra*.]

This case of Goodnow vs. Welles is only one of not less than a dozen of a similar nature, in which the Supreme Court of Iowa within the last few years has held that the grantees of the Navigation Company were liable to the assignee of the Dubuque & Sioux City R. R. Co. and the Iowa Homestead Company, to the amount, in the aggregate, of many thousands of dollars, for taxes paid by his assignors on the lands. **controversy, during the pendency of the long-continued** contest between the respective claimants under the railroad and railroad grants, on the ground that having *afterward* been ascertained to be the *rightful owners of the land*, the law applied a promise of repayment by the successful to the unsuccessful claimant.

Other cases might be referred to but it is needless, as all would lead to the same effect.

The debates in Congress on the Joint Resolution have been appealed to on the one hand as showing that the Navigation Company and its grantees were, and on the other hand that they were not contemplated as of the *bona fide* purchasers provided for.

In the Senate, Mr. Polk of Missouri having suggested that the resolution as originally offered be so amended as that it should only apply to lands sold by the State to actual settlers, the following running debate occurred:

MR. GRIMES.—If the Senator will change it so that it shall apply to any purchaser, or any grantee of the State of Iowa, it will be entirely satisfactory.

MR. POLK.—The only objection to that is, that I do not like to give this Congressional bounty to land speculators.

MR. GREEN.—That is just what it is.

MR. POLK.—But to the actual settlers I am willing to give it.

MR. GRIMES.—It would cost a great deal of trouble for us to determine who happened to be actual settlers at any particular date or at the passage of this resolution, or whether it should apply to those who are actual settlers now, or those who were actual settlers at the time they purchased.

MR. GREEN.—All that can be guarded by saying, 'Any actual, *bona fide* settler, or whose grantor, actually settled on the land.'

MR. GRIMES.—The man who, by virtue of your own action, the action of your officer, went there and obtained the land, if he be not an actual settler, is morally and politically, and in every way just as much entitled to receive justice from the hands of the Senate as the man who is an actual settler. He is a *bona fide* purchaser. If the Senator will insert the words, 'any *bona fide* purchaser from the State of Iowa,' I shall be satisfied.

MR. POLK: The objection to that is, that it would not shut out the speculators.

MR. HARLAN: So far as this land has been certified to the State, the State has accepted the land, and attempted to apply the proceeds of the grant in the improvement of the river. A part of this land has been sold by the State directly to actual settlers. A part of the grant has been sold to the gentlemen who were applying their money in putting in locks and dams, to which reference has been made, and they in turn have sold to other parties. Some of them, perhaps, are improving the land; but many of them are actual settlers. The purpose of the amendment he proposes is to cut out all those who may have bought those lands from the Des Moines River Improvement Company. That would be unjust to the company and unjust to the purchasers from the company.

MR. POLK: The view I take of it is this: There is no claim in law or in equity against the United States for the granting of this land; but I am willing the United States should relinquish the title where an actual settler has bought the land, and gone on it; but I am not willing to do that favor to persons who have bought as speculators. Where persons have bought for actual settlement, and have gone on the land, I am willing to vote to relinquish to them, and I am willing to vote for the bill with that amendment. I will offer the amendment, and leave the sense of the Senate upon it, to insert the words, "and by the said State to actual settlers, and not interfering with public grants."

MR. CRITTENDEN: I will suggest to gentlemen, as there is some difficulty about the provision in reference to actual settlement, to say 'all *bona fide* purchasers deriving title under the State.' It seems to me that would cover everything.

MR. GRIMES: That will be entirely satisfactory to me. It seems to me to be just to all parties. I understand it is satisfactory to the Senator from Missouri.

MR. POLK: I agree to it.

After some further not very material debate, the amendment offered by Mr. Crittenden was agreed to and a vote was taken upon the resolution as amended, with the following result: yeas 30, nays 7. Among the yeas were both Grimes and Polk, Green voting nay.

In view of the sharply opposing views expressed in the debate, and the comparative unanimity with which the resolution as amended was adopted, there can be no reasonable doubt that the Crittenden amendment was adopted as a compromise and was intended to leave the question as to who were *bona fide* purchasers, should it ever arise, open for determination by the courts.

A FAITHFUL AND ZEALOUS PRIEST.

The Rev. Father Wm. Emonds, formerly of the Davenport diocese, is now a resident of Tacoma, Washington. He may be quite an aged man, for he was the confidential friend and adviser of Rt. Rev. Matthias Loras, first Catholic bishop of Dubuque, forty years ago. Father Emonds was one of the first priests to visit Des Moines. He came here in 1854 and held services in a log cabin near the river. During the time he was in Iowa—1853-'90—he built some forty-four churches. He secured the first plat of ground in Omaha that was selected for a Catholic church. He went to Tacoma in 1890 on account of bad health, and has already built two churches on the shores of Puget Sound. Father Emonds never hears his own praises, never blows his own horn; on the contrary he is as modest and unpretentious as he is learned and accomplished. He has been a pillar of strength to his church, a wise and faithful friend to thousands of the poor and needy. Such are the men whom we may believe will receive the plaudit of "Welcome, good and faithful servant."—*Iowa State Register*.



Very truly yours,
John H. Knappe

ANNALS OF IOWA.

EDITORIAL DEPARTMENT.

THE GENESIS OF A NATIONAL LYRIC.

In the year 1861, immediately after the inauguration of Abraham Lincoln, Hon. John A. Kasson of Des Moines, was appointed First Assistant Postmaster General—the head of the Appointment Office, under the Hon. Montgomery Blair, Postmaster General. How ably Mr. Kasson seconded his chief and served his country, long ago became matters of historical record. Into biographical details, however, we do not propose to enter at this time, but merely to relate a most interesting incident in the Washington life of Mr. Kasson, which will also be fully narrated in the forthcoming “Life and Letters of John Whittier.” Shortly after the great naval battle between the Monitor and Merrimac in Hampton Roads, Mr. Kasson, with a party of friends, steamed down the Potomac to the scene of that great conflict. As a result of what he saw, and of what he thought, he addressed letters identical in purpose, but not in words, both to Mr. Longfellow and Mr. Whittier. A copy of that to Mr. Whittier is in the possession of the Historical Department of Iowa, and the original is promised to the collection upon the publication of the Whittier book. This volume is in course of preparation by Mr. S. T. Pickard, a brother of Dr. J. L. Pickard, former President of the Iowa State University. We make no comment upon Mr. Kasson's letter, but it fully explains itself:

[unofficial.]

POST OFFICE DEPARTMENT, March 18, 1862.

Dear Sir:—Yesterday, with a Congressional party, I returned from Fortress Monroe, after visiting the “Monitor” and the wreck of the “Cumberland” and Congress.”

After the iron-clad “Merrimac” had passed the “Cumberland,” and received iron hail as so many peas from a popgun, she hailed her and demanded a surrender. Morris, her gallant commander, replied, “No, never!” The “Merrimac” gave her a broadside, tearing the timbers of the Cumberland with terrific force,

and receiving a tremendous, but almost harmless fire in return. Again the enemy demanded a surrender. Morris again replied, "No, never!" The "Merrimack" then drew off and plunged into the broadside of the Cumberland with her iron prow, breaking her in two, and leaving her rapidly sinking. Still her gallant crew fired gun after gun, as the water rose upon them, and as the last gun was about to be covered—the men standing in the water—it was fired at the assailing monster just as our ship disappeared in the sea. Thus the Cumberland sank beneath the waves, with many wounded, many dead, many living, on board, and, thank God, with her flag still flying in the face of the foe.

Just one week after this victory of metallic impenetrability over magnificent gallantry, I visited the scene, and sailed around the Cumberland. Her three masts were above the water, and at the fore we saw, with intense emotion, the glorious flag still floating upon the wind, over a waste of waters, as if the hundred souls below, sea-buried, still challenged the dastard rebels to renew the combat for that unconquered and unconquerable flag. To such valor genius owes a tribute. It demands from the poet an Epic, or a Lyric, which shall hereafter inspire the navy with the brilliant memory of this defense and the dead who made it.

I take the liberty to call your attention (as a poet) to this incident of a war of gallant deeds for the Union.

With high respect, your obedient servant,

JOHN A. KASSON,

First Asst. P. M. General

JOHN G. WHITTIER, ESQ.

MR. WHITTIER'S REPLY.

22nd of March, 1862.

HON. J. A. KASSON :

I thank thee for thy striking description of the fate of the Cumberland. I read it with deep emotion.

I presume my friend Dr. Holmes will make the event the theme of one of his stirring Lyrics.

Very truly thy friend,

JOHN G. WHITTIER.

MR. LONGFELLOW'S REPLY.

CAMBRIDGE, March 26, 1862.

Dear Sir:—I have had the honor of receiving your letter, and am much obliged to you for the suggestion it contains.

That whole affair is so complete a poem in itself, that I am not sure it cannot be improved by rhyme.

But I thank you for the hint, and remain,

Yours truly,

HENRY W. LONGFELLOW.

JOHN A. KASSON, ESQ.

Not long after these dates Mr. Longfellow gave to the world his magnificent poem, "The Cumberland," inspired, as every reader will understand, by this graphic and stirring letter of

asson. The original letters of Longfellow and Whittier are now the property of the State, to which it is hoped that Mr. Masson's letter to each of the poets may soon be added.

As a fitting conclusion to this article we copy Mr. Longfellow's familiar and very beautiful poem :

THE CUMBERLAND.

At anchor in Hampton Roads we lay,
On board of the Cumberland, sloop-of-war ;
And at times from the fortress across the bay
The alarm of drums swept past,
Or a bugle blast
From the camp on the shore.

Then far away to the south uprose,
A little feather of snow-white smoke,
And we knew that the iron ship of our foes
Was steadily steering its course
To try the force
Of our ribs of oak.

Down upon us heavily runs,
Silent and sullen, the floating fort ;
Then comes a puff of smoke from her guns,
And leaps the terrible death,
With fiery breath,
From each open port.

We are not idle, but send her straight
Defiance back in full broadside !
As hail rebounds from a roof of slate,
Rebounds our heavier hail
From each iron scale
Of the monster's hide.

" Strike your flag ! " the rebel cries,
In his arrogant old plantation strain.
" Never ! " our gallant Morris replies ;
" It is better to sink than to yield ! "
And the whole air pealed
With the cheers of our men.

Then, like a kraken huge and black,
She crushed our ribs in her iron grasp !
Down went the Cumberland all a wrack,
With a sudden shudder of death,
And a cannon's breath
For her dying gasp.

Next morn, as the sun rose over the bay,
Still floated our flag at the main mast head ;
Lord, how beautiful was thy day !
Every waft of the air
Was a whisper of prayer,
Or a dirge for the dead.

Ho! brave hearts that went down in the seas!
 Ye are at peace in the troubled stream;
 Ho! brave land with hearts like these,
 Thy flag, that is rent in twain,
 Shall be one again,
 And without a seam.

OUR PORTRAITS.

The first which appears in this number of the ANNALS while very good as a portrait, was from an old and inferior photograph, but we were unable to procure a better one. William Penn. Clarke is a name which will always be well known to the legal profession of this State, for the reason that he was Reporter of the Supreme Court from 1855 to 1863. His Reports have always maintained a high rank. He was a journalist of State reputation, one of the foremost western writers in the great anti-slavery agitation which preceded the War for the Union, a member of the Convention of 1858 which framed the present Constitution of our State, and Major and Paymaster in the Union Army. He removed to Washington, D. C., many years ago, where he still resides. Mr. Clarke, some months ago, deposited his most valuable correspondence with public men of this and other States, from 1820 to 1860, in the Historical Department of Iowa. He is also well-known as a collector of books and paintings, and it is not improbable that he will ere long make valuable bequests to one or more of our State institutions.

Two portraits of John Chambers add interest to Mr. Clarke's very valuable article on our second Territorial Governor. The first is a steel engraving, evidently made about the time that Major Chambers was serving as Governor. Until impressions were secured for this number of THE ANNALS, from the steel plate, which is owned in New York City, this portrait was a very rare one in Iowa. In fact, we believe that very few copies had ever been seen in our State. It will no doubt be greatly prized by our readers. The other portrait represents Governor Chambers in his last years, when his appearance had greatly

changed. It is from Geo. H. Yewell's fine oil painting in the Capitol Building. It is seldom that two portraits of the same man show such great changes in his personal appearance.

We reproduce a good photograph of Gen. Ed Wright as Major of the 24th Iowa Infantry.

The portrait of Hon. John A. Kasson is from one of his latest photographs, and is a very fine likeness of that distinguished statesman.

IOWA LIBRARY LEGISLATION OF 1894.

The last General Assembly did some very good work for the public libraries of the State. To begin with, the standing committees, the duties of which had before been limited to the State Library, were made committees on public libraries generally, and the presiding officers of the two houses in appointing them evidently did so in view of the increased importance of the duties devolving upon them, as they were noticeably strong in their membership.

Acts were passed which will greatly stimulate the establishment of new libraries and promote the growth and usefulness of those already established. One of the acts referred to provides for the creation in all cities and incorporated towns, of boards of library trustees to consist of nine members, to be appointed by the mayor with the approval of the council; the first appointees to hold office, three for two years, three for four years and three for six years, from the first day of July, 1894, and their respective successors for the term of six years; males and females like being eligible; services to be gratuitous; to have authority to employ a librarian and assistants, fix their compensation, to remove them for specified causes by a two-thirds vote, and generally to control and have the management in all respects of their respective libraries, including the exclusive control of the expenditure of all taxes levied for the maintenance of the same and of all moneys belonging to the library fund; to fix the rate of appropriation for the maintenance of the library, not exceeding one mill on the dollar annually, and certify the same to the city council to be certified with other city taxes to the

county auditor, together with such further sum as may be deemed necessary to create a sinking fund to pay the interest under the provisions of Chapter 18, Acts 22d General Assembly, and acts amendatory thereof. The board is required each year to make report to the council for the year ending June 30 of the number of books in the library, the number circulated, the number not returned or lost, the amount of funds collected and of money expended in the maintenance of the library during the year, together with such other information as the board may deem important. Heretofore it has been left to the city council to determine within the limit of one mill on the dollar what amount should be appropriated for library purposes, and in many instances the appropriations were so meager as greatly to cripple and embarrass the libraries.

Another act confers upon all cities of the first class power to levy a tax of not exceeding three mills on the dollar to pay any existing indebtedness or that may hereafter be contracted for the purchase of real estate and the erection thereon of a public library building or buildings, and to create a sinking fund for the extinguishment of and paying the interest upon such indebtedness. Heretofore this authority had only been conferred upon cities of the first class, organized subsequently to 1885.

This most commendable legislation, which places it within the power of cities and incorporated towns to secure libraries and manage and protect them, was largely due to the timely efforts of Col. C. H. Gatch, of Des Moines. His experience in connection with the Public Library of the Capital enabled him to determine what was needed in this direction. This legislation is a great step in advance of the mixed condition of things which it supercedes.

AN IOWA DOCTOR "IN THE FIFTIES."

The Historical Department has frequently been placed under great obligations by Dr. J. W. Shaffer, of Keokuk, for valuable contributions. This gentleman has himself been highly dis-

inguished in this State, for, perhaps, forty years. He has occupied a seat in the State Senate, where he became very well known as one of its foremost men. Away back when the State Fairs were held at Clinton, he was Secretary of the State Agricultural Society, in which laborous capacity he added to his well-earned reputation as physician and senator. He is also a well-known writer, not only for medical periodicals, but for the general press, in which useful work he is always able, clear and incisive. He has given much attention to the natural history of Iowa, and is himself a skillful taxidermist. His collection of stuffed birds and small mammals is doubtless the largest ever made in our State. This, with rare liberality, he has presented to the Public Library at Fairfield, which enterprising little city was his first Iowa home. These collections are worth several thousand dollars. Dr. Shaffer is one of the men of Iowa who has left foot-prints upon its history which will endure for many generations. In addition to his other and various works, he has kept a daily journal during all the time he has been a medical practitioner. Possibly some future antiquary may unearth this interesting mass of manuscripts, and publish to distant times what will throw a flood of light upon the medical history of the last four decades of this century.

But it was not of Dr. Shaffer that we intended to speak more particularly in this article. Among the books which he has lent to the Historical Department is one containing two volumes of "The Western Medico Chirurgical Journal." This periodical was issued in Keokuk, the first number being dated September 1st, 1850. The first article related to the *post mortem* examination of a case of Rheumatic Carditis.' This case was one which excited considerable interest in the locality of Croton, Iowa, in which it occurred. Samuel Reed, a laborer, aged 23, had died under circumstances which to the general mind, indicated malpractice. Considerable excitement had arisen in consequence. The deceased had been ailing some time and had been treated by a general practitioner. But he fell into the hands of a traveling quack who administered large

doses of lobelia. This resulted in severe vomiting, "followed by distressing hiccough, which harassed him until his death, an event which took place a few days afterwards." The quack contended that, "if he could obtain permission to make a *post mortem* examination, he could demonstrate to the citizens of Croton that mercury had occasioned his death by developing an inflammation of the intestinal canal." A *post mortem* examination, therefore, occurred about 12 hours after death. This easily settled the mystery as to the cause of death. It was found that the man's heart was enlarged to about twice the usual size. Of course, this removed all the mystery in the case and justified the treatment of the man's regular physician, allaying the excitement which had most unjustly sprung up in the neighborhood. This case is written out with considerable minuteness, and appears as the leading article in the first number of this "Western Medico-Chirurgical Journal." The point of greatest interest to us, however, is the fact that it was written by John Forrest Dillon, M. D., of Farmington, Iowa. This young doctor soon, however, gave up the practice of medicine and studied law. Years afterward he was elected to the Supreme Bench of this State, serving at last as Chief Justice of Iowa. Those of our readers whose recollections run back 20 years or more will understand that we refer to Judge John F. Dillon, who at one time was one of the most prominent jurists in the West, the author of many useful volumes in the literature of the law, and now famous as the leading attorney of the Union Pacific Railway. He has attained a reputation which is almost world-wide in his profession as author, lawyer and jurist, results which would scarcely have been predicted at the time he wrote out this interesting case of Rheumatic Carditis. For many years he has also been one of the leading lecturers in Columbia College Law School, one of the most famous institutions on either side of the Atlantic. His great work on corporations is an accredited authority in England. We shall be greatly disappointed if this "quaint and curious volume of forgotten lore" fails to furnish topics for other articles quite as interesting as this has proven to the writer.

NOTABLE DEATHS.

HON. NORMAN BOARDMAN, who recently died at his home in Lyons, Clinton county, was born at Morristown, Vermont, April 30, 1813. He first came west in the spring of 1837. This was long before the era of railroad building, and he had to hire a team at Detroit to carry him on to Chicago, which was then a frontier town of about five thousand inhabitants. After traveling through Illinois he crossed the Mississippi and took a school for the summer in one of the new towns of Missouri. In the fall he went down to St. Louis, and from there returned by river and canal to his home in Vermont. He studied law, was admitted to the bar, and a few years later elected States Attorney on the Democratic ticket. But visions of the great west again attracted him from his New England home. In 1852 he went to St. Paul and visited the chief towns of the upper Mississippi. He finally stopped at Lyons and entered several sections of Clinton county land. With other parties he laid out the town of Osage, in Mitchell county, and named it after Orion Sage. He also laid out a large addition to Lyons and finally settled there and made it his permanent home. He became a Republican upon the organization of that party, and in 1861 was elected to the State Senate from Clinton county. He was made chairman of the committee on schools, serving with marked ability. He secured important legislation to protect the school funds of the State. In 1869 he was appointed by President Grant Collector of Internal Revenue for the Second District. While holding this position he was instrumental in ferreting out extensive frauds practiced by some of the distilleries in his district, which resulted in the seizure and confiscation of several large establishments. The work for which Mr. Boardman will be longest remembered was the suggestion of the first Old Law-Makers' Reunion, resulting in a permanent organization known as the "Pioneer Law-Makers' Association," which meets biennially at the capital. It has been instrumental in adding large and valuable contributions to the historical material of the State. Mr. Boardman had three sons who have attained prominent positions in the State, Homer C. being Senator from Story county, William E. is State Dairy Commissioner, and Charles D. a Trustee of the State Agricultural College.

In the death of REV. S. S. HUNTING, of Des Moines, the Unitarian denomination loses one of its ablest ministers in the west. Dr. Hunting was born in New London, N. H., March 22, 1826, was educated at Harvard Divinity School, under the instruction of Dr. Noyes and other eminent educators, graduating in 1852. He entered the Unitarian ministry at Brookfield, Mass., soon after, remaining there six years. When the war of the Rebellion broke out he was preaching at Detroit and was selected as chaplain of the 27th Michigan Infantry, remaining in the service until the close of the war. He was untiring in devotion to the soldiers of his regiment, in the hospital and sanitary work. He was a radical abolitionist before the war, and associated in anti-slavery work for years with those great leaders, Wm. Lloyd Garrison, Wendell Phillips, Lucy Stone and Abby Kelly. When the war closed he accepted a call as pastor of the Unitarian church

at Quincy, Illinois, where he remained seven years until chosen Western Secretary of the American Unitarian Association. He was an officer of the National Prison Reform Association and an earnest worker in that humane cause to the end of his life. Dr. Hunting was pastor of the Unitarian church at Davenport for several years and of the Des Moines church for five years. He was a superb organizer, laying the foundation for several of the prosperous Unitarian churches of Iowa. He was also leader in organizing the Iowa Unitarian Association and one of its most eminent ministers and members. His entire life was devoted to human reform, and religious work, in which his time, money, and great services were given freely and without regard to compensation. As a citizen, reformer and preacher, his whole life bore testimony to his nobility of character and unselfish devotion to great and good works.

R. K. EASTMAN, one of the very earliest settlers of Wright county, died at his home in Clarion, on the 6th day of June. He was Treasurer and Recorder of that county, when those two offices were united in one, holding the position for several years, during which time he became widely known throughout northwestern Iowa. Some time after he settled in Webster City, where he was engaged several years in the mercantile business. He was originally from Western New York. It was related of him that he had failed in business in the State of New York, making some sort of a compromise with his creditors. After coming to Iowa, he was fairly prosperous, acquiring a competence. As soon as he was able he paid every one of his New York debts with interest, obtaining a full and honorable discharge from every creditor. With excellent business abilities he was possessed of an exceedingly kind disposition, and died as he had lived, with many friends, and few, if any enemies.

GEN. M. M. TRUMBULL, formerly a prominent citizen of Iowa, died at his home in Chicago, May 10th, at the age of 68. He was a native of England, but came to America when a young man and taught school some time in Vermont. But soon came west settling in Butler county, Iowa. In 1857 he was elected to the Legislature from the district of Mitchell, Floyd and Butler counties, serving with distinction in the first General Assembly under the constitution of 1857, which was the first to meet in Des Moines after the removal of the Capital from Iowa City. At the beginning of the war Trumbull enlisted with the Third Iowa volunteers, and later raised the Ninth Iowa Cavalry, of which he was appointed Colonel. He was an intimate friend of General Grant and was by him appointed Collector of Internal Revenue for the Dubuque District, serving efficiently for twelve years. In 1882 he removed to Chicago where he became a well known writer for several journals. His book entitled "Free Trade in England" gave him a national reputation and is regarded as high authority in tariff literature. He distinguished himself in many battles, winning his brigadier's star through bravery and efficiency on the field. On returning from the service he was given a public reception by the Iowa House of Representatives of 1866. His fame as a writer had reached Europe and his death was noticed with regret by the London.—*Athenaeum*.

JUDGE THOMAS S. WILSON died at his home in Dubuque on the 16th of May, at the age of eighty. Judge Wilson was a native of Ohio, and was descended from a long line of notable ancestors on both sides. His great grandfather came over from England with William Penn and settled where Philadelphia now stands. His grandfather was an officer in the war of the American Revolution and held a commission signed by General George Washington, which is still preserved in the Wilson family. Judge Wilson studied law in Stubenville, Ohio, in the same office with Edwin M. Stanton, who became President Lincoln's great Secretary of War. He was admitted to the bar in 1835 and his certificate bears the name of Colonel Daniel McCook father of the famous "fighting McCooks" of the war of the Rebellion. The day after his marriage to Miss Anna Hoge, the young couple took passage on a river steamer for Prairie de Chien. He soon after moved to the new town of Dubuque, landing there on the 13th day of October, 1836, two years before Iowa was organized as a Territory. Upon the organization of the new Territory in 1838, young Wilson was appointed by President Van Buren Judge of the Supreme Court when but twenty-five years of age. In November of that year Judge Wilson presided over the first court ever convened in Iowa. The session was at Prairie La Porte, where the village of Gutenberg now stands. He served as judge until the State was admitted into the Union in 1846. Judge Wilson was a prominent candidate for the United States Senate at the first session of the State Legislature, and lacked but one vote of securing the nomination in the Democratic caucus, which would have insured his election. Upon retiring from the bench he resumed the practice of law in partnership with his brother Colonel David S. Wilson and Platt Smith—both of whom were prominent lawyers. In 1852 Judge Wilson was chosen District judge in which position he served with ability for ten years. In 1866, and again in 1868, he was a member of the General Assembly and took a leading part in the legislation of that period. He was a prominent and honored member of the Pioneer Law-Makers Association and made valuable contributions to its historical papers. He was the oldest in service of the living judges of Iowa Courts. He was a fluent public speaker and a writer of more than ordinary ability. He has been a resident of Iowa for fifty-eight years witnessing its entire history and development from the organization of the territory, and did much as a public officer and private citizen to aid in its wonderful progress for more than half a century.

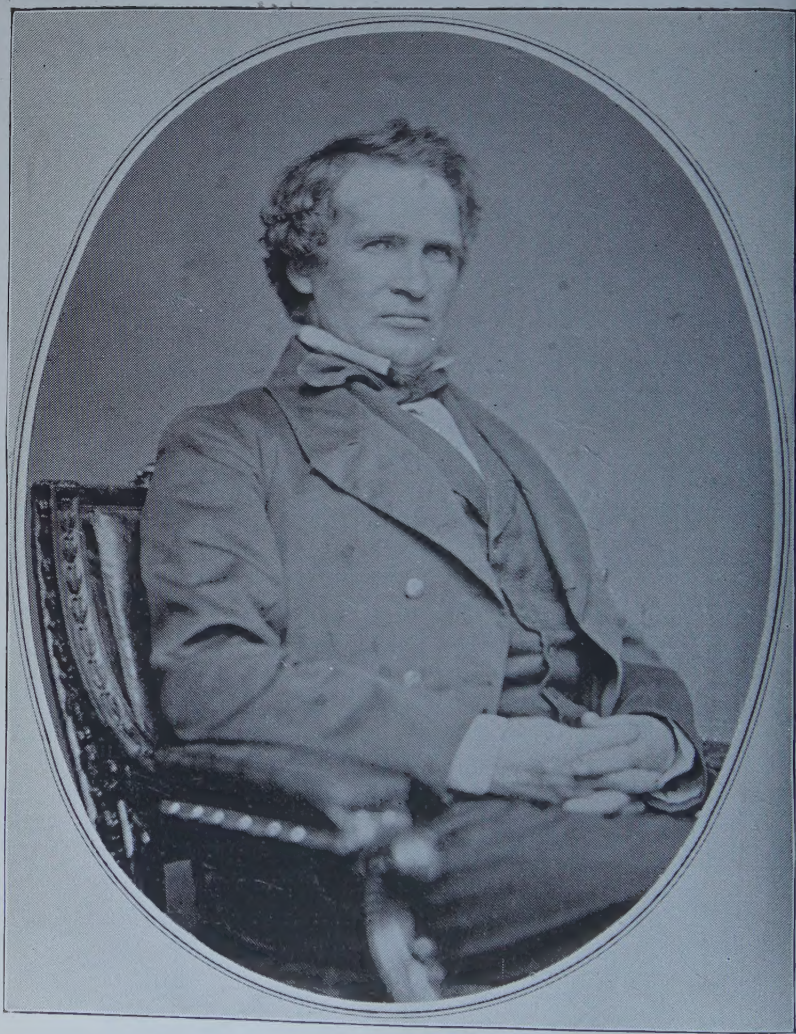
DR. WILLIAM G. HAMMOND, died at St. Louis, Mo., on the 18th of April. He was a native of New York, and came to Iowa in 1863, settling at Anamosa, where he began the practice of the law. He afterwards removed to Des Moines, and became identified with a local law school in 1867. When a law department was established at the State University he was chosen Chancellor, filling the position with great ability, until 1881, when he was elected Dean of the St. Louis Law School. He accepted the new position and removed to that city the same year. Dr. Hammond became one of the most eminent teachers in the United States, having made a special study of the Common Law. He was the editor of a standard edition of Blackstone's Commentaries and the author of several standard law books. He was everywhere recognized as a man of scholarly attainments and great learning in the literature of the law.

HON. J. W. STEWART, who recently died at Davenport, was a pioneer lawyer, and has been a prominent attorney and politician in Eastern Iowa for more than

thirty years. He settled at Davenport in 1853. In 1856 he was elected prosecuting attorney for that district, and in 1866 was appointed Collector of Internal Revenue by President Johnson. Mr. Stewart was an active, influential and public-spirited citizen, highly esteemed by all who knew him.

J. P. FARLEY, of Dubuque, who died at his home in that city, in May, was one of the pioneer railroad builders of Iowa. He came to Dubuque as early as 1833 and engaged in the grocery business. As the little town grew in population and importance, Mr. Farley engaged in numerous business enterprises and soon became one of the leading citizens. In 1850 he established a steamboat line between St. Louis and St. Paul, which gave Dubuque excellent shipping facilities. In 1855 he was one of the organizers of the Dubuque and Pacific Railroad Company. He was its first president, and under his administration the road was built to Dyersville. In the re-organization of the company as the Dubuque and Sioux City, Mr. Farley was a prominent actor and an influential director. The town of Farley was named in honor of the man who did so much in early days to promote transportation by water and land, and thereby develop Dubuque into the chief city of Northern Iowa.

FRANK HATTON, for the past few years editor-in-chief of *The Washington (D. C.) Post*, died of paralysis at his home in that city, April 30, at the age of forty-eight. He was born at Cadiz, O., and was graduated from the country printing office—which institution has been so aptly termed “the poor boy’s college”—his father, who published a paper in that town. He entered the Union Army when scarcely old enough to be mustered as a soldier, serving as a private until the war closed. His father having removed to Mt. Pleasant, Henry county, Iowa, and become the owner of *The Journal*, Frank is understood to have worked for him until his death. He then acquired the property, and conducted the paper with marked ability for several years. He became especially prominent in the famous United States Senatorial contest of 1872, between Senators Harlan and Allison, which resulted in the election of the latter. Soon after this Mr. Hatton acquired an interest in *The Hawkeye*, of Burlington, which he conducted some years with his usual success, serving meantime as post-master of that city. When President Garfield entered upon his administration Mr. Hatton was made First Assistant Postmaster General, and upon the retirement of Mr. Gresham, in 1883, he succeeded him as the head of that department at Washington. While many famous men have held that position at various times, few, if any, have ever demonstrated more special fitness for its varied and responsible duties, or initiated more practical changes and reforms in its administration. He secured the first really fast mails between the east and the west, and expedited and extended the postal service in all parts of the country. He made a most excellent record in the high office. Frank Hatton—and he comes back to the writer’s memory almost as a boy—was a large-hearted, open-handed, cordial, most excellent gentleman, steadfast and true to his friends—an opponent never to be despised, though he had few enemies for one so independent and active in the stirring politics of his time. His editorship of *The Washington Post* was marked by great brilliancy and crowned with enviable success. While Postmaster General, he took time to lead something of the incipient efforts to found a Historical Department in our new Capitol, rendering valued assistance in many directions. We hope to be able to present a more extended biography of Mr. Hatton at some future time, to be accompanied by a portrait.



James W. Barnes